Thomas Paine

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THE WRITINGS

OF

THOMAS PAINE

COLLECTED AND EDITED BY

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I.

PEACE, AND THE NEWFOUNDLAND FISHERIES.[1]

(First Letter.)

MESSIEURS HALL AND SELLERS.

Gentlemen,

A piece of very extraordinary complexion made its appearance in your last paper, under the signature of *Americanus*, and what is equally as extraordinary, I have not yet met with one advocate in its favour. To write under the curse of universal reprobation is hard indeed, and proves that either the writer is too honest for the world he lives in, or the world, bad as it is, too honest for him to write in.

Some time last winter a worthy member of the Assembly of this State put into my hands, with some expressions of surprize, a motion which he had copied from an original shewn to him by another member, who intended to move it in the House. The purport of *that*, and the doctrine of Americanus, bear such strong resemblance to each other, that I make no hesitation in believing them both generated from the same parents. The intended motion, however, withered without being put, and Americanus, by venturing into being, has exposed himself to a less tranquil exit.

Whether Americanus sits in Congress or not, may be the subject of future enquiry; at present I shall content myself with making some strictures on what he advances.

He takes it for granted that hints towards a negociation for peace have been made to Congress, and that a debate

[1] From the *Pennsylvania Gazette*, June 30, 1779.

has taken place in that House respecting the terms on which such a negociation shall be opened.

"It is reported," says he, "that Congress are still debating what the terms shall be, and that some men strenuously insist on such as others *fear* will not be agreed to, and as they *apprehend* may prevent any treaty at all, and such as our ally [France], by his treaties with us, is *by no* means bound to support us in demanding."

Americanus, after running through a variety of introductory matter, comes at last to the point, and intimates, or rather informs, that the particular subject of debate in Congress has been respecting the fisheries on the Banks of Newfoundland, some insisting thereon as a matter of right and urging it as a matter of absolute necessity, others doubting, or appearing to doubt whether we have any right at all, and indifferent whether the fisheries be claimed or not. Among the latter of which Americanus appears to be one.

Either Americanus does not know how to make a bargain, or he has already made one, and his affectation of modesty is the dress of design. How, I ask, can Americanus, or any other person, know what claims or proposals will be rejected or what agreed to, till they be made, offered or demanded. To suppose a rejection is to invite it, and to publish our "*apprehensions*," as a reason for declining the claim, is encouraging the enemy to fulfil the prediction. Americanus may think what he pleases, but for my own part, I hate a prophecier of ill-luck, because the pride of being thought wise often carries him to the wrong side.

That an inhabitant of America or a member of Congress should become an advocate for the exclusive right of Britain to the fisheries, and signify, as his opinion, that an American has not a right to fish in the American seas, is something very extraordinary.

"It is a question," says he, "whether the subjects of these states had any other right to fishing than what they *derived from their being subjects of Great Britain; and as it cannot be pretended that they were in the possession and enjoyment of the right either at the*

time of the declaration of independence or of signing the treaties of Paris, nor that it was ever included in any one of the charters of the United States, it cannot be surprising that many, who judge a *peace* necessary for the happiness of these states, should be *afraid* of the consequences which may follow from making this an ultimatum in a negociation."

I should be glad to know what ideas Americanus affixes to the words *peace* and *independence;* they frequently occur in his publication, but he uses them in such a neutral manner, that they have neither energy or signification. Peace, it is true, has a pleasant sound, but he has nibbled it round, like Dr. Franklin's description of a gingerbread cake, till scarcely enough is left to guess at the composition. To be at peace certainly implies something more than barely a cessation of war. It is supposed to be accompanied with advantages adequate to the toils of obtaining it. It is a state of prosperity as well as safety, and of honour as well as rest. His independence too is made up of the same letters which compose the independence of other nations, but it has something so sickly and consumptive in its constitution, so limping and lingering in its manner, that at best it is but in leading strings, and fit rather for the cradle than the cabinet. But to return to his argument:

Americanus has placed all his reasons the wrong way, and drawn the contrary conclusions to what he ought to have done. He doubts the right of the States to fish, because it is not mentioned in any of the charters. Whereas, had it been mentioned, it might have been contended that the right in America was only derivative; and been given as an argument that the original right lay in Britain. Therefore the silence of the charters, added to the undisturbed practice of fishing, admit the right to exist in America *naturally*, and not by *grant*, and in Britain only *consequentially;* for Britain did not possess the fisheries independent of America, but in consequence of her dominions in America. Her claiming territory here was her title deed to the fisheries, in the same manner that Spain claims Faulkland's Island, by possessing

the Spanish continent; and therefore her right to those fisheries was derived *through America*, and not the right of America through Britain. Wedded to the continent, she inherited its fortunes of islands and fisheries, but divorced therefrom, she ceases her pretentions.

What Americanus means by saying, *that it cannot be pretended we were in the possession and enjoyment of the right either at the time of the declaration of independence or of signing the treaty of Paris*, I am at a loss to conceive; for the right being natural in America, and not derivative, could never cease, and though by the events of war she was at that time dispossessed of the immediate enjoyment, she could not be dispossessed of the *right*, and needed no other proofs of her title than custom and situation.

Americanus has quoted the 2d and 11th articles of the treaty of Paris, by way of showing that the right to the fisheries is not one of those rights which France has undertaken to guarantee.

To which I answer, that he may say the same by any particular right, because those articles describe no particular rights, but are comprehensive of *every* right which appertains to sovereignty, of which fishing in the American seas must to us be one.

Will Americanus undertake to persuade, that it is not the interest of France to endeavour to secure to her ally a branch of trade which redounds to the mutual interest of both, and without which the alliance will lose half its worth? Were we to propose to surrender the right and practice of fishing to Britain, we might reasonably conclude that France would object to such a surrender on our part, because it would not only render us a less valuable ally in point of commerce as well as power, but furnish the enemy of both with a new acquisition of naval strength; the sure and natural consequence of possessing the fisheries.

Americanus admits the fisheries to be an "*object of great consequence to the United States, to two or three of them more especially.*"

Whatever is of consequence to any, is so to all; for wealth

like water soon spreads over the surface, let the place of entrance be ever so remote; and in like manner, any portion of strength which is lost or gained to any one or more States, is lost or gained to the whole; but this is more particularly true of the naval strength, because, when on the seas it acts immediately for the benefit of all, and the ease with which it transports itself takes in the whole coast of America, as expeditiously as the land forces of any particular State can be arranged for its own immediate defence. But of all the States of America, New York ought to be the most anxious to secure the fisheries as a nursery for a navy;—because the particular situation of that State, on account of its deep waters, is such, that it will ever be exposed to the approaches of an enemy, unless it be defended by a navy; and if any of the delegates of that State has acted a contrary part, he or they have either designedly or ignorantly betrayed the interest of their constituents, and deserve their severest censure.

Through the whole of this curious and equivocal piece, the premises and arguments have, in themselves, a suspicious appearance of being unfairly if not unjustly stated, in order to admit of, and countenance, wrong conclusions; for taking it for granted that Congress have been debating upwards of four months what the terms shall be on which they shall open a negociation, and that the House are divided respecting their opinion of those terms, it does not follow from thence that the "*public have been deceived*" with regard to the news said to have arrived last February; and if they are deceived, the question is who deceived them? Neither do several other conclusions follow which he has attempted to draw, of which the two I shall now quote are sufficient instances.

"If," says Americanus, "the *insisting* on terms which neither the *declaration of independence nor the treaties of Paris authorized us to challenge as our rights*, have caused the late, otherways unaccountable delays, and prevented a peace, or at least a negociation being opened for one, *those who have challenged and insisted on these claims are justly responsible for the consequences.*"

This I look on to be truly jesuitical; for the delay cannot be occasioned by those who *propose*, but by those who *oppose*, and therefore the construction should stand thus:

If the *objecting* to rights and claims, which are neither *inconsistent with the declaration of independence or the treaties of Paris, and naturally included and understood in both*, has caused the late, otherways unaccountable delays, and prevented a peace, or at least a negociation for one, *those who made such objections, and thereby caused such delays and prevented such negociations being gone into, are justly responsible for the consequences.*

His next position is of the same cast, and admits of the same reversion.

"Governor Johnstone," says he, "in the House of Commons freely declared he had made use, while in America, of other means to effect the purpose of his commission than those of reason and argument; *have we not*," continues Americanus, "*good right from present appearances to believe that in this instance he declared the truth.*"

To this wonderful supposition I shall apply another, viz. That if Governor Johnstone *did* declare the truth, *who have we most right to suspect, those who are for relinquishing the fisheries to Britain, or those who are for retaining them?*

Upon the whole, I consider the fisheries of the utmost importance to America, and her natural right thereto so clear and evident, that it does not admit of a debate, and to surrender them is a species of treason for which no punishment is too severe.

I have not stept out of my way to fetch in either an argument or a fact, but have confined my reply to the piece, without regard to who the author is, or whether any such debates have taken place or not, or how far it may or not have been carried on one side or the other.

COMMON SENSE.

PHILADELPHIA, June 26, 1779.

PEACE, AND THE NEWFOUNDLAND FISHERIES.[1]

(Second Letter.)

Americanus, in your last, has favoured the public with a description of himself as a preface to his piece. "I am," says he, "neither a Member of Congress or of the Assembly of this State, or of any other, but a private citizen, in moderate circumstances in point of fortune, *and whose political principles have never been questioned.*" All this may be very true, and yet nothing to the purpose; neither can the declaration be admitted either as a positive or negative proof of *what his principles are.* They may be good, or they may not, and yet be so well known as not to be doubted by those who know the writer. Joseph Galloway formerly wrote under the signature of *Americanus*, and tho' every honest man condemns his principles, yet nobody pretends to question them. When a writer, and especially an anonymous one, readily means to declare his political principles as a reinforcement to his arguments, he ought to be full, clear, and decisive, but this declaration is so ambiguously constructed and so unmeaningly applied, that it may be used by any and every person either within or without the enemy's lines, for it does not declare what his principles are, but that, be they what they may, *they are not questioned.*

Before I proceed, I cannot help taking notice of another inconsistency in his publication of last week. "In my last," says he, "I said that it was very unhappy that this question has been touched on or agitated at all at this time, to which," continues he, "I will now add, it is particularly so, *that it is become a subject of discussion in the public papers.*" This is very extraordinary from the very man who first brought it into the public papers. A short piece or two, on the importance of fisheries in general, were anonymously published some time ago; but as a matter of treaty debate in Congress, or as a matter of right in itself, with the arguments and grounds on which they proceeded, Americanus is originally

[1] From the *Pennsylvania Gazette*, July 14, 1779.

chargeable with the inconvenience he pretends to lament. I with some others had heard, or perhaps knew, that such a subject was in debate, and tho' I always laid myself out to give it a meeting in the papers when ever it should appear, I never hinted a thought that might tend to start it.

"To *permit* the public," says Americanus, "to be made acquainted with what are to be the *ultimate demands* in a proposed treaty is really something new and extraordinary, if not impolitic and absurd."—There is a compound of folly and arrogance in this declaration, which deserves to be severely censured. Had he said, that to publish all the arguments of Congress, on which any claim in a proposed treaty are founded or objected to, might be inconvenient and in some cases impolitic, he would have been nearly right; but the *ultimate demand itself ought* to be made known, together with the rights and reasons on which that demand is founded.

But who is this gentleman who undertakes to say, that to *permit* the public to be made acquainted is really impolitic and absurd? And to this question I will add, that if he distinguishes Congress into one body, and the public into another, I should be glad to know in what situation he places himself, so as not to be subject to his own charge of absurdity. If he belongs to the former, he has, according to his own position, a right to know but not to tell, and if to the latter, he has neither a right to know nor to tell, and yet in some character or other he has done both. If this gentleman's political principles were never questioned before, I think they ought to be questioned now; for a man must be a strange character indeed, whom no known character can suit.

I am the more inclined to suspect Americanus, because he most illiberally, and in contradiction to everything sensible and reasonable, endeavoured, in his former piece, to insinuate that Governor Johnstone had bribed a party in Congress to *insist on the right of the United States to fish on the Banks of Newfoundland.* An insinuation so impolitic and absurd, so wide and foreign to the purpose of Governor

Johnstone's commission, can only be understood the contrary way; namely, that he had bribed somebody or other to *insist* that the right should *not be insisted on.*

The expression of Governor Johnstone, as printed in the English papers, is literally this. "I do not," says he, "mean to disavow I *have had* transactions, where *other means have been used* besides persuasion." Governor Johnstone was in no places in America but Philadelphia and New-York, and these *other* means must have been used in one or other, or both of these places. We have had evidence of one application of his, with an offer of ten thousand guineas, which was refused, and treated with the disdain it deserved; for the offer of a bribe contains in it, to all men of spirit, the substance of an affront. But it is strange indeed, if the *one* that was refused was the *only one* that was offered. Let any person read Americanus in your paper of June 23, and if he can after that acquit him of all suspicion, he must be charitable indeed.

But why does not Americanus declare who he is? This is no time for concealment, neither are the presses, tho' free, to become the vehicles of disguised poison. I have had my eye on that signature these two months past, and to what lengths the gentleman meant to go himself can best decide.

In his first piece he loosely introduced his intended politics, and put himself in a situation to make further advances. His second was a rapid progress, and his last a retreat. The difference between the second and the last is visible. In the former of those two he endeavours to invalidate the right of the United States to fish on the Banks of Newfoundland, because, forsooth, it was not mentioned in any of the former charters. It is very extraordinary that these same charters, which marked out and were the instruments of our *dependence*, should now be introduced as describing the line of our *independence.* In the same piece Americanus likewise says, "it is a question whether the subjects of these states *had any other right* to that fishery, than what they derived from being the subjects of Great-Britain." If this be not

advocating the cause of the enemy, I know not what is. It is news-paper advice to them to insist on an exclusive right to the fisheries, by insinuating ours to be only a derivative one from them; which, had it been the case, as it is not, would have been very improper doctrine to preach at the first instance of a negotiation. If they have any right, let them find those rights out themselves. We shall have enough to do to look to our own side of the question, and ought not to admit persons among us to join force with the enemy either in arms or argument.

Whether Americanus found himself approaching a stormy latitude, and fearing for the safety of his bark, thought proper to tack about in time, or whether he has changed his appetite, and become an epicure in fish, or his principles, and become an advocate for America, must be left for his own decision; but in his last week's publication he has surrendered the grounds of his former one, and changed the argument from a matter of right to a matter of supposed convenience only. He no more speaks of our right to the fisheries as a derivative right from Britain, in consequence of our formerly being subjects. Not a syllable of the charters, whose silence he had produced as invalidating or negativing our independent right. Neither has he endeavoured to support, or offered to renew, what he had before asserted—namely, that we were not in possession of the right of fishing at the time of the declaration of independence, or of the signing the treaties of Paris; but he has admitted a theorem which I had advanced in opposition to his suggestions, and which no man can contradict, viz. that our right to fish on the Banks of Newfoundland is a *natural right*. Now if our right is natural, it could not be derived from subjection, and as we never can but by our own voluntary consent be put out of the possession of a natural national right, tho' by the temporary events of war we may be put out of the enjoyment of such a right, and as the British fishery Act of Parliament in seventy-six to exclude us was no act of ours, and universally denied by us, therefore, from his own admission, he has contradicted himself, and allowed that we were as fully in *possession of the*

right of fishing on those Banks, both at the time of the declaration of independence, and at the time of signing the treaties of Paris, as at any period preceding them.

That he has admitted the natural right in his last piece, in contradiction to his supposed derivative right in his former one, will appear from two or three quotations I shall make.

1st. He says, "The giving up of our *right to this object* (the fisheries) and the making an *express* demand to have it guarantied to us, or the passing it over in silence in negociation, are distinct things."

2d. "I am well assured," he says, "that there is not a member in Congress any ways disposed *to give up or relinquish our right to the Newfoundland fishery.*"

The "right" here admitted cannot be a right derived from subjection, because we are no longer British subjects; neither can it be a right conveyed by charters, because we not only know no charters now, but those charters we used to know are silent on the matter in question. It must therefore be a *natural right.* Neither does the situation of America and Britain admit of any other explanation, because they are, with respect to each other, in a state of nature, not being even within the law of nations; for the law of nations is the law of treaties, compounded with customary usage, and between America and Britain there is yet no treaty, nor any national custom established.

But the third quotation I shall make from his last piece will prove, from his own words, his assent to the *natural right* which I contended for in behalf of these states, and which he, in his former piece, impliedly disowned, by putting our whole right on a question, and making our former subjection the grounds on which that question stood.

"I drew no conclusion," he says, "to exclude these States, or bar them from the *right which by nature they are entitled to* with others, as well to the fishery on the *Banks of Newfoundland* as to those in the ocean at large."

As he now admits a *natural right*, and appears to contend for it, I ask, why then was his former piece published, and why was our right there put in the lowest terms possible? He does not in that piece even hint, or appear to think of, or suppose such a thing as a natural right, but stakes the issue on a question which does not apply to the case, and went as far as a man dared to go, in saying we had no right at all. From all this twisting and turning, this advancing and retreating, and appearing to own at last what he impliedly disowned at first, I think myself justified in drawing this conclusion, that either Americanus does not know how to conduct an argument, or he intended to be a traitor if he dared.

The natural right of the United States in those fisheries is either *whole* or in *part*. If to the whole, she can admit a participation to other nations. If to a part, she, in consequence of her natural right to partake, claims her share therein, which is for as much as she can catch and carry away. Nature, in her distribution of favors, seems to have appointed these fisheries as a property to the northern division of America, from Florida upwards, and therefore our claim of an exclusive right seems to be rationally and consistently founded; but our natural right to what we can catch is clear, absolute and positive.

Had Americanus intended no more than to consider our claim, whether it should be made or not, as a matter of convenience only, which is the stage he has now brought it to, he ought by no means to have made even the slightest stroke at the right itself; because to omit making the claim in the treaty, and to assign the doubtfulness of the right as a reason for the omission, is to surrender the fisheries upon the insufficiency of the pretension, and of consequence to exclude ourselves from the *practice* by the silence of the treaty, and from the *right* by the reasons upon record.

Had I time to laugh over my *fish*, I could in this place set Americanus up to a very agreeable ridicule. He has all this while been angling without a bait, and endeavouring to deceive with an empty hook, and yet this man says he under-

stands *fishing* as well as any man in America. "Very few," says he, "and *I speak it without vanity*, are better acquainted with the fisheries than myself." If this be true, which I hope it is not, it is the best reason that can be given for relinquishing them, and if made known would, on the other hand, be a great inducement to Britain to cede the whole right, because by our being possessed of a right without knowing how to use it, she would be under no apprehensions of our thinning the ocean, and we should only go out with our vessels to buy, and not to catch.

If Americanus wished to persuade the Americans to say nothing about the fisheries in a treaty with Britain, he ought, as a politician of some kind or other, to have baited his hook with a plausible something, and, instead of telling them that their right was doubtful, he should have assured them it was indisputable, that Britain never meant to question it, that it was needless to say anything about it, that all nations knew our rights, and naturally meant to acknowledge them. But he, like a wiseacre, has run against the post instead of running past it, and has, by the arguments he has used, produced a necessity for doing the very thing he was writing to prevent; and yet this man says he understands *fishing* as well as any man in America—It must be a cod indeed that should be catched by him!

COMMON SENSE.

PHILADELPHIA, July 12, 1779.

PEACE, AND THE NEWFOUNDLAND FISHERIES.[1]

(THIRD LETTER.)

THE *importance* of the fisheries Americanus has kept almost totally out of sight. Why he has done so, his readers will contrive to guess at, or himself may explain. A bare confession, loosely scattered here and there, and marked with the countenance of reluctance, is all he gives on the subject. Surely, the public might have expected more from

[1] From the *Pennsylvania Gazette*, July 21, 1779.

a man, who declares "he can, without vanity say, that very few are better acquainted with the *nature* and *extent* of the American fisheries than himself." If he really possesses the knowledge he affirms, he ought to have been as prolific on the subject as the fish he was treating of: And as he has not, I am obliged to suspect either the reality of his knowledge, or the *sincerity* of his intentions. If the declaration be *not* true, there are enow to fix his *title*; and if true, it shews that a man may keep company all his life-time with cod, and be little the wiser. But to the point,——

There are but two natural sources of wealth and strength —the Earth and the Ocean—and to lose the right to either is, in our situation, to put up the other to sale. Without the fisheries, independence would be a bubble. It would not deserve the name; and however we might, in such a condition, please ourselves with the jingle of the word, the consequences that would follow would soon deprive us even of the title and the music.

I shall arrange the fisheries under the three following heads:

First. As an Employment.

Secondly. As producing National Supply and Commerce, and a means of National Wealth.

Thirdly. As a Nursery for Seamen.

As an employment, by which a living is procured, it more immediately concerns those who make it their business; and in this view, which is the least of the three, such of the States, or parts thereof, which do not follow fishing, are not so directly interested as those which do. I call it the least of the three, because as no man needs want employment in America, so the change from one employment to another, if that be all, is but little to him, and less to anybody else. And this is the narrow impolitic light in which some persons have understood the fisheries.

But when we view them as producing national supply and commerce, and a means of national wealth, we then consider the *fish*, not the fisherman, and regard the consequences of the employment more than the employment itself; in the

same manner that I distinguish the coat that clothes me, from the man that made it. In this view, we neither enquire (unless for curiosity) who catch the fish, or whether they catched themselves—how they were catched, or where? The same supply would be produced, the same commerce occasioned, and the same wealth created, were they, by a natural impulse, to throw themselves annually on the shore, or be driven there by a periodical current or storm. And taking it in this point, it is no more to us, than it was to the Israelites whether the manna that fed them was brought there by an angel or an insect, an eastern or a western breeze, or whether it was congealed dew, or a concretion of vegetable juices. It is sufficient that they had manna, and we have fish.

I imagine myself within compass, when I suppose the fisheries to constitute a fourth part of the staple commerce of the United States, and that with this extraordinary advantage, it is a commerce which interferes with none, and promotes others. Take away a fourth from any part, and the whole United States suffers, in the same manner that the blood taken from the arm is drained from the whole man; and if, by the unskilfulness of the operation, the wounded arm should lose its use, the whole body would want its service. It is to no purpose for a man to say, I am not a fisherman, an indigo planter, a rice planter, a tobacco planter, or a corn planter, any more than for the leg to say, I am not an arm; for as, in the latter instance, the same blood invigorates both and all by circulation, so, in the former, each is enriched by the wealth which the other creates, and fed by the supply the other raises. Were it proposed that no town should have a market, are none concerned therein but butchers? And in like manner it may be asked, that if we lose the market for fish, are none affected thereby but those who catch them? He who digs the mine, or tills the earth, or fishes in the ocean, digs, tills and fishes for the world. The employment and the pittance it procures him are his; but the produce itself creates a traffic for thousands, a supply for millions.

The Eastern States by quitting agriculture for fishing become customers to the rest, partly by exchange and partly by the wealth they import. Of the Middle States, they purchase grain and flour; of Maryland and Virginia, tobacco, the food and pastime of the fisherman; of North and South-Carolina, and Georgia, rice and indigo. They may not happen to become the client of a lawyer in either of these states, but is it any reason that we are to be deprived of fish, one of the *instruments* of commerce, because it comes to him without a *case?*

The loss of the fisheries being at this time blended with other losses, which all nations at war are more or less subject to, is not particularly felt or distinguished in the general suspension: And the men who were employed therein being now called off into other departments, and supported by other means, feel not the want of the employment. War, in this view, contains a temporary relief for its own misfortunes, by creating a trade in lieu of the suspended one. But when, with the restoration of peace, trade shall open, the case will be very and widely different, and the fisherman like the farmer will expect to return to his occupation in quietude.

As my limits will not allow me to range, neither have I time if I had room, I shall close this second head, and proceed to the third, and finish with some remarks on the state the question is now said to stand in in Congress.

If as an *employment* one fourth of the United States are immediately affected, and if as a source of national supply and commerce and a means of national wealth all are deeply interested, what shall we say when we consider it as a *nursery for seamen.* Here the question seems to take almost a reversed turn, for the states which do *not fish* are herein *more concerned* than those which do. It happens, by some disposition of providence or ourselves, that those particular states whose employment is to fish are thickly settled, and secured by their internal strength from any extensive ravages of an enemy. The States, all the way from thence to the southward, beginning at New-York, are less populous,

and have less of that ability in proportion to their extent. *Their* security, therefore, will hereafter be in a navy, and without a fishery there can be no navy worthy of the name.

Has nature given us timber and iron, pitch and tar, and cordage if we please, for nothing but to sell or burn? Has experience taught us the art of ship-building equal to any people on earth to become the workmen of other nations? Has she surrounded our coast with fisheries to create strength to our enemies, and make us the purchasers of our own property? Has she brought those fisheries almost to our own doors, to insult us with the prospect, and at the same time that she bar us from the enjoyment to threaten us with the constant approach of an enemy? Or has she given these things for our use, and instructed us to combine them for our own protection? Who, I ask, will undertake to answer me, Americanus or myself?

What would we now give for thirteen ships of the line to guard and protect the remote or weaker parts? How would Carolina feel deliverance from danger, and Georgia from despair, and assisted by such a fleet become the prison of their invaders? How would the whigs of New York look up and smile with inward satisfaction at the display of an Admiral's command, opening, like a "*key*," the door of their confinement? How would France solace herself at such a union of force, and reciprocally assisting and assisted traverse the ocean in safety? Yet all these, or their similar consequences, are staked upon the fisheries.

Americanus may understand the "nature of fisheries," as to season, catching and curing, or their "extent" as to latitude and longitude; but as a great political question, involving with it the means and channels of commerce, and the probability of empire, he is wholly unequal to the subject, or he would not have, as he has done, limitted their effects to "*two or three states especially.*" By a judgment acquired from long acquaintance, he may be able to know a cod when he sees it, or describe the inconveniences or pleasures of a fishing voyage. Or, "*born and educated*" * among them, he

* *King of England's first speech to the British parliament.—Author.*

may entertain us with the growling memories of a Newfoundland bear, or amuse us with the history of a foggy climate or a smoaky hut, with all the winter chit-chat of fatigue and hardship; and this, in his idea, may be to "*understand the fisheries.*"

I will venture to predict that America, even with the assistance of all the fisheries, will never be a *great*, much less a *dangerous* naval power, and without them she will be scarcely any. I am established in this opinion from the known cast and order of things. No country of a large extent ever yet, I believe, was powerful at sea, or ever will be. The natural reason of this appears to be that men do not, in any great numbers, turn their thoughts to the ocean, till either the country gets filled, or some peculiar advantage or necessity tempts them out. A maritime life is a kind of partial emigration, produced from a portion of the same causes with emigrations in general. The ocean becomes covered and the supply kept up from the constant swarmings of the landed hive; and as we shall never be able to fill the whole dominion of the Thirteen States, and there will ever be new land to cultivate, the necessity can never take place in America, and of course the consequences can never happen.

Paradoxical as it may appear, greatness at sea is the effect of littleness by land. Want of room and want of employ are the generating causes. Holland has the most powerful navy in the world, compared with the small extent of her crowded country. France and Spain have too much room, and the soil too luxuriant and tempting, to be quitted for the ocean. Were not this the case, and did the abilities for a navy like those for land service rise in proportion to the number of inhabitants only, France would rival more than any two powers in Europe, which is not the case.

Had not nature thrown the fisheries in our way and inflicted a degree of natural sterility on such parts of the continent as lie contiguous thereto, by way both of forcing and tempting their inhabitants to the ocean, America, considering the present cast of the world, would have wanted the

means of defence, for the far greater part of our seamen except those produced by the fisheries, are natives of other countries. And shall we unwisely trifle with what we ought to hug as a treasure, and nourish with the utmost care as a Protector? And must the W. H. D. forever mean that *We Have Dunces?*[1]

We seek not a fleet to insult the world, or range in foreign regions for conquests. We have more land than we can cultivate; more extent than we can fill. Our natural situation frees us from the distress of crowded countries, and from the thirst of ambitious ones. We covet not dominion, for we already possess a world; we want not to export our labouring poor, for where can they live better, or where can they be more useful? But we want just such a fleet as the fisheries will enable us to keep up, and without which we shall be for ever exposed, a burthen to our allies, and incapable of the necessary defence. The strength of America, on account of her vast extent, cannot be collected by land; but since experience has taught us to sail, and nature has put the means in our power, we ought in time to make provision for a navy, as the cheapest, safest, best, and most effectual security we can hereafter depend on.

Having in my first and second publications endeavoured to establish the right of America to the fisheries, and in this treated of their vast importance, I shall conclude with some remarks on the subject, as it is now said to stand in Congress, or rather the form in which it is thrown out to the public.

Americanus says (and I ask not how he came by his knowledge) that the question is, "Whether the insisting on an explicit acknowledgment of that right (meaning the right of fishing on the Banks of Newfoundland) is either *safe, prudent or politic.*"

Before I enter on the discussion of this point, it may not be improper to remark, that some intimations were made to Congress in February by the Minister of France, Mr. Gerard, respecting what the claims of America might be, in case any treaty of peace should be entered on with the enemy. And

[1] Probably W. H. D. were initials of some disputant on the subject.—*Editor.*

from this, with some account of the general disposition of the powers of Europe, the mighty buz of peace took its rise, and several who ought to have known better, were whispering wonderful secrets at almost every tea table.

It was a matter very *early* supposed by those who had any clear judgment, that Spain would not immediately join in the war, but would lie by as a mediatorial power. If she succeeded therein, the consequence would be a peace ; if she failed, she would then be perfectly at liberty to fulfil her engagements with France, etc.

Now in order to enable Spain to act this part, it was necessary that the claims of Congress in behalf of America should be made known *to their own Plenipotentiary at Paris*, Dr. *Franklin*, with such instructions, public or private, as might be proper to give thereon. But I observe several members, either so little acquainted with political arrangements, or supposing their constituents to be so, that they treat with Mr. Gerard as if that gentleman was *our* Minister, instead of the Minister of his Most Christian Majesty, and *his* name is brought in to a variety of business to which it has no proper reference. This remark may to some appear rather severe, but it is a necessary one. It is not every member of Congress who acts as if he felt the true importance of his character, or the dignity of the country he acts for. And we seem in some instances to forget, that as France is the great ally of America, so America is the great ally of France.

It may now be necessary to mention, that no instructions are yet gone to Dr. Franklin as a line for negotiation, and the reason is because none are agreed on. The reason why they are *not* agreed on is another point. But had the gentlemen who are for leaving the fisheries out agreed to have had them put in, instructions might have been sent more than four months ago ; and if not exactly convenient, might by this time have been returned and reconsidered. On whose side then does the fault lie ?

I profess myself an advocate, out of doors, for clearly, absolutely, and unequivocally ascertaining the right of the

States to fish on the Banks of Newfoundland, as one of the first and most necessary articles. The right and title of the States thereto I have endeavoured to show. The importance of these fisheries I have endeavoured to prove. What reason then can be given why they should be omitted?

The seeds of almost every former war have been sown in the injudicious or defective terms of the preceding peace. Either the conqueror has insisted on too much, and thereby held the conquered, like an over-bent bow, in a continual struggle to snap the cord, or the latter has artfully introduced an equivocal article, to take such advantages under as the turn of future affairs might afford. We have only to consult our own feelings, and each man may from thence learn the spring of all national policy. And he, who does not this, may be fortunate enough to effect a temporary measure, but never will, unless by accident, accomplish a lasting one.

Perhaps the fittest condition any countries can be in to make a peace, calculated for duration, is when neither is conquered, and both are tired. The first of these suits England and America. I put England first in this case, because she began the war: And as she must be and *is* convinced of the impossibility of conquering America, and as America has no romantic ideas of extending her conquests to England, the object on the part of England is lost, and on the part of America is so far secure, that, unless she unwisely conquers herself, she is certain of not being conquered; and this being the case, there is no visible object to prevent the opening a negociation. But how far England is disposed thereto is a matter wholly unknown, and much to be doubted. A movement towards a negociation, and a disposition to enter into it, are very distinct things. The first is often made, as an army affects to retreat, in order to throw an enemy off his guard. To prevent which, the most vigorous preparations ought to be made for war at the very instant of negociating for a peace.

Let America make these preparations, and she may send her terms and claims whenever she pleases, without any ap-

prehension of appearing or acting out of character. Those preparations relate now more to revenue than to force, and that being wholly and immediately within the compass of our own abilities, requires nothing but our consent to accomplish.*

To leave the fisheries wholly out, on any pretence whatever, is to sow the seeds of another war; and I will be content to have the name of an ideot engraven for an epitaph, if it does not produce that effect. The difficulties which are now given will become a soil for those seeds to grow in, and future circumstances will quicken their vegetation. Nations are very fond of appealing to treaties when it suits their purpose, and tho' America might afterwards assign her *unquestioned* right as a reason for her silence, yet all must know that treaties are never to be explained by presumption, but wholly by what is put in, and never by what is left out.

There has not yet been an argument given for omitting the fisheries, but what might have been given as a stronger reason to the contrary. All which has been advanced rests only on supposition, and that failing, leaves them no foundation. They suppose Britain will not hereafter interrupt the right; but the case is, they have no right to that supposition; and it may likewise be parried by saying,—suppose she should? Now the matter, as I conceive it, stands thus——

If the right of the States to fish on the Banks of Newfoundland be made and consented to as an article in a treaty with Britain, it of consequence becomes expresly guarantied by the eleventh article of the present treaty of alliance with

* *A plan has been proposed, and all who are judges have approved it, for stopping the emissions* [of paper money] *and raising a revenue, by subscription for three years without interest, and in lieu thereof to take every subscriber's taxes out of his subscription, and the balance at the expiration of that time to be returned. If the States universally go into this measure, they will acquire a degree of strength and ability fitted either for peace or war. It is, I am clearly convinced, the best measure they can adopt, the best interest they can have, and the best security they can hold. In short, it is carrying on or providing against war without expence, because the remaining money in the country, after the subscriptions are made, will be equal in value to the whole they now hold. Boston has proposed the same measure.—Author.*

France; but if it be left out in a treaty with the former, it is not then guarantied in the present treaty with the latter, because the guaranteeing is limited to "the whole of their (our) possessions, as the same shall be fixed and assured to the said States at *the moment of the cessation of their present war with England.*" Art II.

Were the States to claim, as a memorial to be recorded with themselves, an exclusive right to those fisheries, as a matter of right *only*, derived from natural situation, and to propose to their allies to guarantee to them expresly so much of that right as we may have occasion to use, and the States to guarantee to such allies such portion of the fisheries as they possessed by the last treaty of peace, there might be some pretence for not touching on the subject in a treaty with Britain; because, after the conclusion of the war, she would hardly venture to interrupt the States in a right, which, tho' not described in a treaty with her, should be powerfully guarrantied in a treaty with others. But to omit it wholly in one treaty, and to leave it unguarrantied in another, and to trust it entirely, as the phrase is, to the chapter of accidents, is too loose, too impolitic a mode of conducting national business.

"Had nothing," says Americanus, "been said on the subject of the fisheries, our fishermen, on the peace, might have returned to their old stations without interruption."

Is this talking like an American politician, or a seducing emissary? Who authorised Americanus to intimate such an assurance; or how came he to know what the British ministry would or would not hereafter do; or how can he be certain they have told him truth? If it be supposition only, he has, as I before remarked, no right to make it; and if it be more than supposition, it must be the effect of secret correspondence. In the first of these cases he is foolish; in the second worse. Does he not see that the fisheries are not expresly and only conditionally guarrantied, and that if in such a situation they be omitted in a treaty with Britain, and she should afterwards interrupt our right, that the

States stand single in the question, and have no right on the face of the present treaties to call on their Allies for assistance? And yet this man is persuading us to say nothing about them.

Americanus like some others is mightily fond of amusing his readers with "*the law of nations*," just as if there really was such a law, fixed and known like the law of the ten commandments. Whereas the law of nations is in theory the law of treaties compounded with customary usage, and in practice just what they can get and keep till it be taken from them. It is a term without any regular defined meaning, and as in some instances we have invented the thing first and given the name afterwards, so in this we have invented the name and the thing is yet to be made.

Some gentlemen say leave the fisheries to be settled afterwards in a treaty of commerce. This is really beginning business at the wrong end. For a treaty of peace cannot *precede* the settlement of disputes, but proceeds in consequence of all controverted points respecting right and dominion being adjusted and agreed on. There is one kind of treaty of commerce which may follow a treaty of peace, but that respects such articles only and the mode of trafficking with them as are produced within, or imported into the known and described dominions of the parties; or to the rules of exchange, or paying or recovering debts, but never to the dominion itself; and comes more properly within the province of a Consul than the superior contracting powers.

With these remarks I shall, for the present, close the subject. It is a new one, and I have endeavoured to give it as systematical an investigation as the short time allowed and the other business I have on hand will admit of. How the affair stands in Congress, or how the cast of the House is on the question, I have, for several reasons, not enquired into; neither have I conversed with any gentleman of that Body on the subject. They have their opinion and I mine; and as I chuse to think my own reasons and write my own thoughts, I feel the more free the less I consult.

Who the writer of Americanus is I am not informed. I

never said or ever believed it to be Mr. Gouverneur Morris, or replied to it upon that supposition. The manner is not his, neither do I know that the principles are, and as that gentleman has disavowed it, the assurance is sufficient. I have likewise heard it supposed that Mr. Deane is the author, and that his friend Mr. Langworthy carried it to the press. But I know not who the author is. I have replied to the Piece rather than to the Man ; tho' for the sake of relief to the reader and amusement to myself, he now and then comes in for a stroke.[1]

COMMON SENSE.

PHILADELPHIA, July 17, 1779.

[1] Paine's contention in these letters was taken up by Dr. Franklin, while the Treaty of Peace was under discussion at Paris (autumn of 1782). After much disputation the third article was framed by which the Newfoundland Fisheries were held open, but the right to land and dry fish was limited to the parts of Nova Scotia then unsettled, and, on their settlement, to be subject to agreement with the inhabitants.—*Editor.*

II.

THE AMERICAN PHILOSOPHICAL SOCIETY.

An Act for incorporating the American Philosophical Society, held at Philadelphia for promoting useful knowledge.[1]

Whereas the cultivation of useful knowledge, and the advancement of the liberal Arts and Sciences in any country, have the most direct tendency towards the improvement of agriculture, the enlargement of trade, the ease and comfort of life, the ornament of society, and the ease and happiness of mankind. And whereas this country of North America, which the goodness of Providence hath given us to inherit, from the vastness of its extent, the variety of its climate, the fertility of its soil, the yet unexplored treasures of its bowels, the multitude of its rivers, lakes, bays, inlets, and other conveniences of navigation, offers to these United States one of the richest subjects of cultivation, ever presented to any people upon earth. And whereas the experience of ages shows that improvements of a public nature are best carried on by societies of liberal and ingenious men, uniting their labours without regard to nation, sect, or party, in one grand pursuit, alike interesting to all, whereby mutual prejudices are worn off, a humane and philosophical Spirit is cherished, and youth are stimulated to a laudable diligence and emulation in the pursuit of Wisdom: And whereas, upon these Principles, divers public-spirited gentlemen of Pennsylvania

[1] The second reading of this Bill, Monday, February 14, 1780, is entered by Thomas Paine, as Clerk of the General Assembly, and was subsequently published as his by his London friends as a "Broadside." A copy is in the British Museum.—*Editor.*

and other American States did heretofore Unite Themselves, under certain regulations into one voluntary Society, by the name of "The American Philosophical Society, held at Philadelphia for promoting useful knowledge," and by their successful labours and investigations, to the great credit of America, have extended their reputation so far, that men of the first eminence in the republic of letters in the most civilized nations of Europe have done honour to their publications, and desired to be enrolled among their Members: And whereas the said Society, after having been long interrupted in their laudable pursuits by the calamities of war, and the distresses of our country, have found means to revive their design, in hopes of being able to prosecute the same with their former success, and of being further encouraged therein by the public, for which purpose they have prayed us, "the Representatives of the Freemen of the Commonwealth of Pennsylvania, that they may be created One Body Politic and Corporate for ever, with such powers, and privileges, and immunities as may be necessary for answering the valuable purposes which the said Society had originally in view."

Wherefore, in order to encourage the said Society in the prosecution and advancement of all useful branches of knowledge, for the benefit of their Country and Mankind, Be it enacted, and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same, That the members of the said Philosophical Society, heretofore voluntarily associated for promoting useful knowledge, and such other persons as have been duly elected Members and Officers of the same, agreeably to the fundamental laws and regulations of the said Society, comprised in twelve sections, prefixed to their first Volume of Transactions, published in Philadelphia, and such other laws and regulations as shall hereafter be duly made and enacted by the Society, according to the tenor hereof, be and for ever hereafter shall be, One Body Corporate and Politic in Deed, by the name and style of "The American Philo-

sophical Society held at Philadelphia, for promoting useful knowledge."

And whereas—Nations truly civilized (however unhappily at variance on other accounts) will never wage war with the Arts and Sciences, and the Common Interests of Humanity; Be it further enacted by the authority aforesaid, That it shall and may be lawful for the said Society, by their proper officers, at all times, whether in peace or war, to correspond with learned societies, as well as individual learned men, of any nation or country; upon matters merely belonging to the business of the said Societies, such as the mutual communication of their discoveries and proceedings in philosophy and science; the procuring Books, Apparatus, Natural Curiosities, and such other articles and intelligence as are usually exchanged between learned bodies, for furthering their common pursuits: Provided always, That such correspondence of the said Society be at all times open to the inspection of the supreme Executive Council of this Commonwealth, etc.

III.

EMANCIPATION OF SLAVES.

PREAMBLE TO THE ACT PASSED BY THE PENNSYLVANIA ASSEMBLY MARCH 1, 1780.

I. WHEN we contemplate our abhorrence of that condition, to which the arms and tyranny of Great Britain were exerted to reduce us, when we look back on the variety of dangers to which we have been exposed, and how miraculously our wants in many instances have been supplied, and our deliverances wrought, when even hope and human fortitude have become unequal to the conflict, we are unavoidably led to a serious and grateful sense of the manifold blessings, which we have undeservedly received from the hand of that Being, from whom every good and perfect gift cometh. Impressed with these ideas, we conceive that it is our duty, and we rejoice that it is in our power, to extend a portion of that freedom to others, which hath been extended to us, and release them from the state of thralldom, to which we ourselves were tyrannically doomed, and from which we have now every prospect of being delivered. It is not for us to enquire why, in the creation of mankind, the inhabitants of the several parts of the earth were distinguished by a difference in feature or complexion. It is sufficient to know that all are the work of the Almighty Hand. We find in the distribution of the human species, that the most fertile as well as the most barren parts of the earth are inhabited by men of complexions different from ours, and from each other; from whence we may reasonably as well as religiously infer, that He, who placed them in their various situations, hath ex-

tended equally his care and protection to all, and that it becometh not us to counteract his mercies. We esteem it a peculiar blessing granted to us, that we are enabled this day to add one more step to universal civilization, by removing, as much as possible, the sorrows of those who have lived in undeserved bondage, and from which, by the assumed authority of the Kings of Great Britain, no effectual legal relief could be obtained. Weaned, by a long course of experience, from those narrow prejudices and partialities we had imbibed, we find our hearts enlarged with kindness and benevolence towards men of all conditions and nations; and we conceive ourselves at this particular period particularly called upon by the blessings which we have received, to manifest the sincerity of our profession, and to give a substantial proof of our gratitude.

II. And whereas the condition of those persons, who have heretofore been denominated Negro and Mulatto slaves, has been attended with circumstances, which not only deprived them of the common blessings that they were by nature entitled to, but has cast them into the deepest afflictions, by an unnatural separation and sale of husband and wife from each other and from their children, an injury, the greatness of which can only be conceived by supposing that we were in the same unhappy case. In justice, therefore, to persons so unhappily circumstanced, and who, having no prospect before them whereon they may rest their sorrows and their hopes, have no reasonable inducement to render their service to society, which they otherwise might, and also in grateful commemoration of our own happy deliverance from that state of unconditional submission to which we were doomed by the tyranny of Britain,

III. *Be it enacted*, etc.[1]

[1] The provisions of this first Act of Emancipation in America were written by George Bryan. It was introduced on the day when Paine became Clerk of the Assembly (Nov. 2, 1779.) Although the authorship of this Preamble has been claimed for others, the steady tradition which has ascribed it to Paine can hardly be doubted by those who compare it with the plea for emancipation with which his career in America opened. See vol. i. of this work; and my "Life of Paine," i., p. 154.—*Editor.*

IV.

PUBLIC GOOD.[1]

PREFACE.

THE following pages are on a subject hitherto little understood but highly interesting to the United States.

They contain an investigation of the claims of Virginia to the vacant Western territory, and of the right of the United States to the same; with some outlines of a plan for laying out a new state, to be applied as a fund, for carrying on the war, or redeeming the national debt.

The reader, in the course of this publication, will find it studiously plain, and, as far as I can judge, perfectly candid. What materials I could get at I have endeavoured to place in a clear line, and deduce such arguments therefrom as the subject required. In the prosecution of it, I have considered myself as an advocate for the right of the states, and taken no other liberty with the subject than what a counsel would, and ought to do, in behalf of a client.

I freely confess that the respect I had conceived, and still preserve, for the character of Virginia, was a constant check upon those sallies of imagination, which are fairly and advantageously indulged against an enemy, but ungenerous when against a friend.

If there is any thing I have omitted or mistaken, to the

[1] This pamphlet was published with the following title: "Public Good: Being an Examination into the Claim of Virginia to the Vacant Western Territory, and of the Right of the United States to the Same: to Which is Added Proposals for Laying off a New State, to be Applied as a Fund for Carrying on the War, or Redeeming the National Debt." [Published by Dunlap, Philadelphia, December 30, 1780.]

injury of the intentions of Virginia or her claims, I shall gladly rectify it, or if there is any thing yet to add, should the subject require it, I shall as cheerfully undertake it; being fully convinced, that to have matters fairly discussed, and properly understood, is a principal means of preserving harmony and perpetuating friendship.

THE AUTHOR.

PUBLIC GOOD.

WHEN we take into view the mutual happiness and united interests of the states of America, and consider the vast consequences to arise from a strict attention of each, and of all, to every thing which is just, reasonable, and honorable; or the evils that will follow from an inattention to those principles; there cannot, and ought not, to remain a doubt but the governing rule of right and of mutual good must in all public cases finally preside.

The hand of providence has cast us into one common lot, and accomplished the independence of America, by the unanimous consent of the several parts, concurring at once in time, manner and circumstances. No superiority of interest, at the expense of the rest, induced the one, more than the other, into the measure. Virginia and Maryland, it is true, might foresee that their staple commodity, tobacco, by being no longer monopolized by Britain, would bring them a better price abroad: for as the tax on it in England was treble its first purchase from the planter, and they being now no longer compelled to send it under that obligation, and in the restricted manner they formerly were, it is easy to see that the article, from the alteration of the circumstances of trade, will, and daily does, turn out to them with additional advantages.

But this being a natural consequence, produced by that common freedom and independence of which all are partakers, is therefore an advantage they are entitled to, and on which the rest of the states can congratulate them without feeling a wish to lessen, but rather to extend it. To contribute to the increased prosperity of another, by the same means which occasion our own, is an agreeable reflection;

and the more valuable any article of export becomes, the more riches will be introduced into and spread over the continent.

Yet this is an advantage which those two states derive from the independence of America, superior to the local circumstances of the rest; and of the two it more particularly belongs to Virginia than Maryland, because the staple commodity of a considerable part of Maryland is flour, which, as it is an article that is the growth of Europe as well as of America, cannot obtain a foreign market but by underselling, or at least by limiting it to the current price abroad. But tobacco commands its own price. It is not a plant of almost universal growth, like wheat. There are but few soils and climes that produce it to advantage, and before the cultivation of it in Virginia and Maryland, the price was from four to sixteen shillings sterling a pound in England.*

But the condition of the vacant western territory of America makes a very different case to that of the circumstances of trade in any of the states. Those very lands, formed, in contemplation, the fund by which the debt of America would in the course of years be redeemed. They were considered as the common right of all; and it is only till lately that any pretension of claim has been made to the contrary.

That difficulties and differences will arise in communities, ought always to be looked for. The opposition of interests, real or supposed, the variety of judgments, the contrariety of temper, and, in short, the whole composition of man, in his individual capacity, is tinctured with a disposition to contend; but in his social capacity there is either a right, which, being proved, terminates the dispute, or a reasonableness in the measure, where no direct right can be made out, which decides or compromises the matter.

As I shall have frequent occasion to mention the word *right*, I wish to be clearly understood in my definition of it. There are various senses in which this term is used, and custom has, in many of them, afforded it an introduction con-

* See Sir Dalby Thomas's Historical Account of the rise and growth of the West India Colonies.—*Author*.

trary to its true meaning. We are so naturally inclined to give the utmost degree of force to our own case, that we call every pretension, however founded, *a right*; and by this means the term frequently stands opposed to justice and reason.

After Theodore was elected king of Corsica, not many years ago, by the mere choice of the natives, for their own convenience in opposing the Genoese, he went over to England, run himself in debt, got himself into jail, and on his release therefrom, by the benefit of an act of insolvency, he surrendered up what he called *his* kingdom of Corsica, as a part of his personal property, for the use of his creditors; some of whom may hereafter call this a charter, or by any other name more fashionable, and ground thereon what they may term a right to the sovereignty and property of Corsica. But does not justice abhor such an action both in him and them, under the prostituted name of a *right*, and must not laughter be excited wherever it is told?

A right, to be truly so, must be right within itself: yet many things have obtained the name of rights, which are originally founded in wrong. Of this kind are all rights by mere conquest, power or violence. In the cool moments of reflection we are obliged to allow, that the mode by which such a right is obtained, is not the best suited to that spirit of universal justice which ought to preside equally over all mankind. There is something in the establishment of such a right, that we wish to slip over as easily as possible, and say as little about as can be. But in the case of a *right founded in right*, the mind is carried cheerfully into the subject, feels no compunction, suffers no distress, subjects its sensations to no violence, nor sees any thing in its way which requires an artificial smoothing.

From this introduction I proceed to examine into the claims of Virginia; first, as to the right, secondly as to the reasonableness, and lastly, as to the consequences.

The name, *Virginia*, originally bore a different meaning to what it does now. It stood in the place of the word North-America, and seems to have been a name comprehensive of all the English settlements or colonies on the continent, and

not descriptive of any one as distinguished from the rest. All to the southward of the Chesapeake, as low as the gulf of Mexico, was called South-Virginia, and all to the northward, North-Virginia, in a similar line of distinction, as we now call the whole continent North and South America.*

The first charter, or patent, was to Sir Walter Raleigh by Queen Elizabeth, of England, in the year 1583, and had neither name nor bounds. Upon Sir Walter's return, the name *Virginia* was given to the whole country, including the now United States. Consequently the present Virginia, either as a province or state, can set up no exclusive claim to the Western territory under this patent, and that for two reasons: first, because the words of the patent run *to Sir Walter Raleigh, and such persons as he should nominate, themselves and their successors*; which is a line of succession Virginia does not pretend to stand in; and secondly, because a prior question would arise, namely, who are to be understood by Virginians under this patent? and the answer would be, all the inhabitants of America, from New-England to Florida.

This patent, therefore, would destroy their exclusive claim, and invest the right collectively in the thirteen states.

But it unfortunately happened, that the settlers under this patent, partly from misconduct, the opposition of the Indians, and other calamities, discontinued the process, and the patent became extinct.

After this, James the first, who, in the year 1602, succeeded Elizabeth, issued a new patent, which I come next to describe.

This patent differed from the former in this essential point, that it had limits, whereas the other had none: the former was intended to promote discoveries wherever they could be made, which accounts why no limits were affixed, and this to settle discoveries already made, which likewise assigns a reason why limits should be described.

In this patent were incorporated two companies, called the South-Virginia company, and the North-Virginia company, and sometimes the London company, and the Plymouth company.

* Oldmixon's History of Virginia.—*Author.*

The South-Virginia or London company was composed chiefly of London adventurers; the North-Virginia or Plymouth company was made up of adventurers from Plymouth in Devonshire and other persons of the western part of England.

Though they were not to fix together, yet they were allowed to choose their places of settlement any where on the coast of America, then called Virginia, between the latitudes of 34 and 45 degrees, which was a range of 760 miles: the south company was not to go below 34 degrees, nor the north company above 45 degrees. But the patent expressed, that as soon as they had made their choice, each was to become limited to 50 miles each way on the coast, and 100 up the country; so that the grant to each company was a square of 100 miles, and no more. The North-Virginia or Plymouth company settled to the eastward, and in the year 1614, changed the name, and called that part New-England. The South-Virginia or London company settled near Cape Henry.

This then cannot be the patent of boundless extent, and that for two reasons: first, because the limits are described, namely, a square of 100 miles; and secondly, because there were two companies of equal rights included in the same patent.

Three years after this, that is, in the year 1609, the South-Virginia company applied for new powers from the crown of England, which were granted them in a new patent, and the boundaries of the grant enlarged; and this is the charter, or patent, on which some of the present Virginians ground their pretension to boundless territory.

The first reflection that presents itself on this enlargement of the grant is, that it must be supposed to bear some intended degree of reasonable comparison to that which it superseded. The former could not be greater than a square of one hundred miles; and this new one being granted in lieu of that, and that within the space of three years, and by the same person, James the first, who was never famed either for profusion or generosity, cannot, on a review of the time and circumstances of the grant, be supposed a very extravagant or very extraordinary one. If a square of one hundred

miles was not sufficiently large, twice that quantity was as much as could well be expected or solicited; but to suppose that he, who had caution enough to confine the first grant within moderate bounds, should, in so short a space as three years, supersede it by another grant of many million times greater extent, is, on the face of the affair, a circumstantial nullity.

Whether this patent, or charter, was in existence or not at the time the revolution commenced, is a matter I shall hereafter speak to, and confine myself in this place to the limits which the said patent or charter lays down. The words are as follow:

"Beginning at the cape or point of land called cape or point Comfort, thence all along the seacoast to the NORTHWARD 200 miles, and from the said point or cape Comfort, all along the seacoast to the *southward*, 200 miles; and all that space or circuit of land lying from the seacoast of the precinct aforesaid up into the land throughout, from sea to sea, WEST and *northwest*."

The first remark I shall offer on the words of this grant is, that they are uncertain, obscure, and unintelligible, and may be construed into such a variety of contradictory meanings as to leave at last no meaning at all.

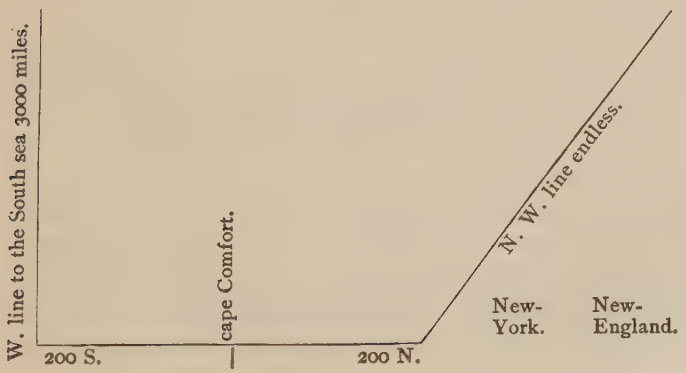
Whether the two hundred miles each way from cape Comfort, were to be on a *straight* line, or ascertained by following the indented *line of the coast*, that is, "*all along the seacoast*," in and out as the coast lay, cannot now be fully determined; because, as either will admit of supposition, and nothing but supposition can be produced, therefore neither can be taken as positive. Thus far may be said, that had it been intended to be a straight line, the word *straight* ought to have been inserted, which would have made the matter clear; but as no inference can be well drawn to the advantage of that which does *not appear*, against that which *does*, therefore the omission implies negatively in favor of the coast-indented line, or that the 400 miles were to be traced on the windings of the coast, that is "*all along the seacoast*."

But what is meant by the words "*west and northwest*" is still more unintelligible. Whether they mean a west line and a northwest line, or whether they apply to the general lying of the land from the Atlantic, without regard to lines, cannot again be determined. But if they are supposed to mean lines to be run, then a new difficulty of more magnitude than all the rest arises; namely, from which end of the extent on the coast is the west line and the northwest line to be set off? As the difference in the contents of the grant, occasioned by transposing them, is many hundred millions of acres; and either includes or excludes a far greater quantity of land than the whole thirteen United States contain.

In short, there is not a boundary in this grant that is clear, fixed and defined. The coast line is uncertain, and that being the base on which the others are to be formed, renders the whole uncertain. But even if this line was admitted, in either shape, the other boundaries would still be on supposition, till it might be said there is no boundary at all, and consequently no charter; for words which describe nothing can give nothing.

The advocates for the Virginia claim, laying hold of these ambiguities, have explained the grant thus:

Four hundred miles on the sea-coast, and from the south point a west line to the great South sea, and from the north point a northwest line to the said South sea. The figure which these lines produce will be thus:



But why, I ask, must the west land line be set off from the south point, any more than the north point? The grant or patent does not say from which it shall be, neither is it clear that a line is the thing intended by the words: but admitting that it is, on what grounds do the claimants proceed in making this choice? The answer, I presume, is easily given, namely, because it is the most beneficial explanation to themselves they can possibly make; as it takes in many thousand times more extent of country than any other explanation would. But this, though it be a very good reason to them, is a very bad reason to us; and though it may do for the claimants to hope upon, will not answer to plead upon; especially to the very people, who, to confirm the partiality of the claimants' choice, must relinquish their own right and interest.

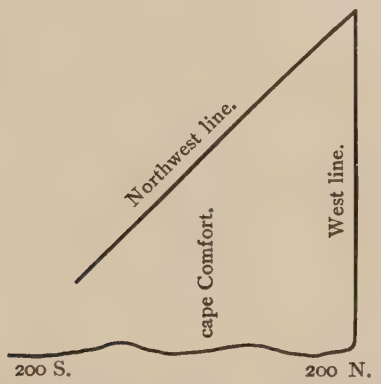
Why not set off the west land line from the north end of the coast line, and the northwest line from the south end of the same? There is some reason why this should be the construction, and none why the other should.

1st, Because if the line of two hundred miles each way from cape Comfort, be traced by following the indented line of the coast, which seems to be the implied intention of the words, and a west line set off from the north end, and a northwest line from the south end, these lines will all unite (which the other construction never can) and form a complete triangle, the contents of which will be about twenty-nine or thirty millions of acres, or something larger than Pennsylvania; and

2d, Because this construction is following the order of the lines as expressed in the grant; for the *first* mentioned *coast* line, which is to the *northward* of cape Comfort, and the *first* mentioned *land* line, which is the *west* line, have a numerical relation, being the first mentioned of each; and implies, that the west line was to be set off from the *north* point and *not* from the south point; and consequently the *two last* mentioned of each have the same numerical relation, and again implies that the *northwest* line was to be set off from the *south* point, and not from the *north* point. But

why the claimants should break through the order of the lines, and contrary to implication, join the *first* mentioned of the *one*, to the last mentioned of the other, and thereby produce a shapeless monster, for which there is no name nor any parallel in the world, either as to extent of soil and sovereignty, is a construction that cannot be supported.

The figure produced by following the order of the lines is as follows *:



I presume that if 400 miles be traced by following the inflexes of any seashore, that the two extremes will not be more than 300 miles distant from each other, on a straight line. Therefore, to find the contents of a triangle, whose base is 300 miles, multiply the length of the base into half the perpendicular, which, in this case, is the west line, and the product will be the answer:

300 miles, length of the base.
150 half the perpendicular (supposing it a right-angled triangle).

15000
300

45,000 contents of the grant in square miles.
640 acres in a square mile.

1800000
270000

28,800,000 contents in square acres.

* N. B. If the reader will cast his eye again over the words of the patent on p. 38, he will perceive the numerical relation alluded to, by observing, that the first mentioned coast line and the first mentioned land line are distinguished by CAPITALS. And the last mentioned of each by *italics*, which I have chosen to do to illustrate the explanation.—*Author.*

Now will any one undertake to say, that this explanation is not as fairly drawn (if not more so) from the words themselves, as any other that can be offered? Because it is not only justified by the exact words of the patent, grant, or charter, or any other name by which it may be called, but by their implied meaning; and is likewise of such contents as may be supposed to have been intended; whereas the claimants' explanation is without bounds, and beyond every thing that is reasonable. Yet, after all, who can say what was the precise meaning of terms and expressions so loosely formed, and capable of such a variety of contradictory interpretations?

Had the order of the lines been otherwise than they are in the patent, the reasonableness of the thing must have directed the manner in which they should be connected: but as the claim is founded in unreasonableness, and that unreasonableness endeavoured to be supported by a transposition of the lines, there remains no pretence for the claim to stand on.

Perhaps those who are interested in the claimants' explanation will say that as the South sea is spoken of, the lines must be as they explain them, in order to reach it.

To this I reply; first, that no man then knew how far it was from the Atlantic to the South sea, as I shall presently show, but believed it to be but a short distance: and,

Secondly, that the uncertain and ambiguous manner in which the South sea is alluded to (for it is not mentioned by name, but only "*from sea to sea*") serves to perplex the patent, and not to explain it; and as no right can be founded on an ambiguity, but on some proof cleared of ambiguity, therefore the allusive introduction of "from sea to sea" can yield no service to the claim.

There is likewise an ambiguous mention made of *two lands* in this patent, as well as of two *seas*; *viz.* and all that "*space or circuit of land* lying from the sea-coast of the precinct aforesaid up into the *land throughout from sea to sea.*"

On which I remark, that the two lands here mentioned

have the appearance of a major and a minor, or the greater out of which the less is to be taken: and the term from "*sea to sea*" may be said to apply descriptively to the *land throughout* and not to the *space or circuit of land patented to the company;*" in a similar manner that a former patent described a major of 706 miles in extent, out of which the minor, or square of one hundred miles, was to be chosen.

But to suppose that because the South sea is darkly alluded to, it must therefore (at whatever distance it might be, which then nobody knew, or for whatever purpose it might be introduced) be made a certain boundary, and that without regard to the reasonableness of the matter, or the order in which the lines are arranged, which is the only implication the patent gives for setting off the land lines, is a supposition that contradicts every thing which is reasonable.

The figure produced by following the order of the lines will be complete in itself, let the distance to the South sea be more or less; because, if the *land throughout from sea to sea* had not been sufficiently extensive to admit the west land line and the northwest land line to close, the South sea, in that case, would have eventually become a boundary; but if the extent of the *land throughout from sea to sea*, was so great that the lines closed without reaching the said South sea, the figure was complete without it.

Wherefore, as the order of the lines, when raised on the indented coast line, produces a regular figure of reasonable dimensions, and of about the same contents, though not of the same shape, which Virginia now holds within the Allegany mountains; and by transposing them, another figure is produced, for which there is no name, and cannot be completed, as I shall presently explain, and of an extent greater than one half of Europe, it is needless to offer any other arguments to show that the order of the lines must be the rule, if any rule can be drawn from the words, for ascertaining from which point the west line and northwest line were to be set off. Neither is it possible to suppose any other rule could be followed; because a northwest line set off two hundred miles above cape Comfort, would not only never

touch the South sea, but would form a spiral line of infinite windings round the globe, and after passing over the northern parts of America and the frozen ocean, and then into the northern parts of Asia, would, when eternity should end, and not before, terminate in the north pole.

This is the only manner in which I can express the effect of a northwest line, set off as above; because as its direction must always be between the north and the west, it consequently can never get into the pole nor yet come to a rest, and on the principle that matter or space is capable of being eternally divided, must proceed on for ever.

But it was a prevailing opinion, at the time this patent was obtained, that the South sea was at no great distance from the Atlantic, and therefore it was needless, under that supposition, to regard which way the lines should be run; neither need we wonder at this error in the English government respecting America then, when we see so many and such glaring ones now, for which there is much less excuse.

Some circumstances favoured this mistake. Admiral Sir Francis Drake, not long before this, had, from the top of a mountain in the isthmus of Darien, which is the centre of North and South America, seen both the South sea and the Atlantic, the width of the part of the continent where he then was, not being above 70 miles; whereas its width opposite Chesapeake bay is as great, if not greater, than in any other part, being from *sea to sea* about the distance it is from America to England. But this could not then be known, because only two voyages had been made across the South sea; the one by the ship in which Magellan sailed, who died on his passage, and which was the first ship which sailed around the world, and the other by Sir Francis Drake; but as neither of these sailed into a northern latitude in that ocean, high enough to fix the longitude of the western coast of America from the eastern, the distance across was entirely on supposition, and the errors they then ran into appear laughable to us who now know what the distance is.

That the company expected to come at the South sea without much trouble or travelling, and that the great body

of land which intervened, so far from being their view in obtaining the charter, became their disappointment, may be collected from a circumstance mentioned in Stith's History of Virginia. He relates, that in the year 1608, which was at the time the company were soliciting this patent, they fitted up in England "a barge for captain Newport," (who was afterwards one of the joint deputy governors under the very charter we are now treating of,) "which, for convenience of carriage, might be taken into five pieces, and with which he and his company were instructed to go up James' river as far as the falls thereof, to discover the country of the Monakins, and from thence they were to proceed, *carrying their barge beyond the falls to convey them to the South sea;* being ordered not to return without a lump of gold, or a certainty of the said sea." And Hutchinson, in his history of New-England, which was called North Virginia at the time this patent was obtained, says "the geography of this part of America was less understood than at present. A line to the Spanish settlements was imagined to be much shorter than it really was. Some of Champlain's people in the beginning of the last century, who had been but a few days' march from Quebec, returned with great joy, supposing that from the top of a high mountain, they had discovered *the South sea.*"

From these matters, which are evidences on record, it appears that the adventurers had no knowledge of the distance it was to the South sea, but supposed it to be no great way from the Atlantic; and also that great extent of territory was not their object, but a short communication with the southern ocean, by which they might get into the neighborhood of the Gold coast, and likewise carry on a commerce with the East Indies.

Having thus shown the confused and various interpretations this charter is subject to, and that it may be made to mean any thing and nothing; I proceed to show, that, let the limits of it be more or less, the present state of Virginia does not, and cannot, as a matter of right, inherit under it.

I shall open this part of the subject by putting the following case:

Either Virginia stands in succession to the London company, to whom the charter was granted, or to the crown of England. If to the London company, then it becomes her, as an outset in the matter, to show who they were, and likewise that they were in possession to the commencement of the revolution.—If to the crown, then the charter is of consequence superseded; because the crown did not possess territories by charter, but by prerogative without charter. The notion of the crown chartering to itself is a nullity; and in this case, the unpossessed lands, be they little or much, are in the same condition as if they had never been chartered at all; and the sovereignty of them devolves to the sovereignty of the United States.

The charter or patent of 1609, as well as that of 1606, was to Sir Thomas Gates, Sir George Summers, the Rev. Richard Hacluit, prebend of Westminster, and others; and the government was then proprietary. These proprietors, by virtue of the charter of 1609, chose lord Delaware for their governor, and Sir Thomas Gates, Sir George Summers, and captain Newport, (the person who was to go with a boat to the South sea,) joint deputy governors. Was this the form of government either as to soil or constitution at the time the present revolution commenced? If not, the charter was not *in being;* for it matters not to us how it came to be *out of being*, so long as the present Virginians, or their ancestors, neither are, nor were sufferers by the change then made.

But suppose it could not be proved to be in being, which it cannot, because *being*, in a charter, is power, it would only prove a right in behalf of the London company of adventurers; but how that right is to be disposed of is another question. We are not defending the right of the London company, deceased 150 years ago, but taking up the matter at the place where we found it, and so far as the authority of the crown of England was exercised when the revolution commenced. The charter was a contract between the crown of England and those adventurers for their own emolument, and not between the crown and the people of Virginia; and whatever was the occasion of the contract becoming void, or

surrendered up, or superseded, makes no part of the question now. It is sufficient that when the United States succeeded to sovereignty they found no such contract in existence, or even in litigation. They found Virginia under the authority of the crown of England both as to soil and government, subject to quit-rents to the crown and not to the company, and had been so for upwards of 150 years: and that an instrument or deed of writing, of a private nature, as all proprietary contracts are, so far as land is concerned, and which is now historically known, and in which Virginia was no party, and to which no succession in any line can be proved, and has ceased for 150 years, should now be raked from oblivion and held up as a charter whereon to assume a right to boundless territory, and that by a pervertion of the order of it, is something very singular and extraordinary.

If there was any innovation on the part of the crown, the contest rested between the crown and the proprietors, the London company, and not between Virginia and the said crown. It was not her charter; it was the company's charter, and the only parties in the case were the crown and the company.

But why, if Virginia contends for the immutability of charters, has she selected this in preference to the two former ones? All her arguments, arising from this principle, must go to the first charter and not to the last; but by placing them to the last, instead of the first, she admits a fact against her principle; because, in order to establish the last, she proves the first to be vacated by the second in the space of 23 years, the second to be vacated by the third in the space of 3 years; and why the third should not be vacated by the fourth form of government, issuing from the same power with the former two, and which took place about 25 years after, and continued in being for 150 years since, and under which all her public and private business was transacted, her purchases made, her warrants for survey and patents for land obtained, is too mysterious to account for.

Either the re-assumption of the London company's charter into the hands of the crown was an usurpation, or it was not.

If it was, then, strictly speaking, is every thing which Virginia has done under that usurpation illegal, and she may be said to have lived in the most curious species of rebellion ever known; rebellion against the London company of adventurers. For if the charter to the company (for it was not to the Virginians) ought to be in being now, it ought to have been in being then; and why she should admit its vacation then and reject it now, is unaccountable; or why she should esteem her purchases of land good which were *then* made contrary to this charter, and now contend for the operation of the same charter to possess new territory by, are circumstances which cannot be reconciled.

But whether the charter, as it is called, ought to be extinct or not, cannot make a question with us. All the parties concerned in it are deceased, and no successors, in any regular line of succession, appear to claim. Neither the London company of adventurers, their heirs or assigns, were in possession of the exercise of this charter at the commencement of the revolution; and therefore the state of Virginia does not, in point of fact, succeed to and inherit from the company.

But, say they, we succeed to and inherit from the crown of England, which was the immediate possessor of the sovereignty at the time we entered, and had been so for 150 years.

To say this, is to say there is no charter at all. A charter is an assurance from one party to another, and cannot be from the same party to itself.

But before I enter further on this case, I shall concisely state how this charter came to be re-assumed by the power which granted it, the crown of England.

I have already stated that it was a proprietary charter, or grant, to Sir Thomas Gates and others, who were called the London company, and sometimes the South Virginia company, to distinguish them from those who settled to the eastward (now New-England) and were then called the North-Virginia or Plymouth company.

Oldmixon's History of Virginia (in his account of the British empire in America) published in the year 1708, gives

a concise progress of the affair. He attributes it to the misconduct, contentions and mismanagements of the proprietors, and their innovations upon the Indians, which had so exasperated them, that they fell on the settlers, and destroyed at one time 334 men, women and children.

"Some time after this massacre," says he, "several gentlemen in England procured grants of land from the company, and others came over on their private accounts to make settlements; among the former was one captain Martin, who was named to be of the council. This man raised so many differences among them, that new distractions followed, which the Indians observing, took heart, and once more fell upon the settlers on the borders, destroying, without pitying either age, sex, or condition.

"These and other calamities being chiefly imputed to the mismanagement of the proprietors, whose losses had so discouraged most of their best members, that they sold their shares, and Charles I., on his accession to the throne, dissolved the company, and took the colony into his own immediate direction. He appointed the governor and council himself, ordered all patents and processes to issue in his own name, and reserved a quit-rent of two shillings sterling for every hundred acres."

Thus far our author. Now it is impossible for us at this distance of time to say what were all the exact causes of the change; neither have we any business with it. The company might surrender it, or they might not, or they might forfeit it by not fulfilling conditions, or they might sell it, or the crown might, as far as we know, take it from them. But what are either of these cases to Virginia, or any other which can be produced. She was not a party in the matter. It was not her charter, neither can she ingraft any right upon it, or suffer any injury under it.

If the charter was vacated, it must have been by the London company; if it was surrendered, it must be by the same; and if it was sold, nobody else could sell it; and if it was taken from them, nobody else could lose it; and yet Virginia calls this her charter, which it was not within her power to hold, to sell, to vacate, or to lose.

But if she puts her right upon the ground that it never was sold, surrendered, lost, or vacated, by the London company, she admits that if they *had* sold, surrendered, lost, or vacated it, it would have become extinct, and to her no charter at all. And in this case, the only thing to prove is the fact, which is, has this charter been the rule of government, and of purchasing or procuring unappropriated lands in Virginia, from the time it was granted to the time of the revolution? Answer—the charter has not been the rule of government, nor of purchasing and procuring lands, neither have any lands been purchased or procured under its sanction or authority for upwards of 150 years.

But if she goes a step further, and says, that they could not vacate, surrender, sell, or lose it, by any act they could do, so neither could they vacate, surrender, sell, or lose that of 1606, which was three years prior to this; and this argument, so far from establishing the charter of 1609, would destroy it; and in its stead confirm the preceding one, which limited the company to a square of 100 miles. And if she still goes back to that of Sir Walter Raleigh, *that* only places her in the light of Americans in common with all.

The only fact that can be clearly proved is, that the crown of England exercised the power of dominion and government in Virginia, and of the disposal of the lands, and that the charter had neither been the rule of government or purchasing land for upwards of 150 years, and this places Virginia in succession to the crown, and not to the company. Consequently it proves a lapse of the charter into the hands of the crown by some means or other.

Now to suppose that the charter could return into the hands of the crown and yet remain in force, is to suppose that a man could be bound by a bond of obligation to himself.

Its very *being* in the hands of the crown, from which it issued, is a cessation of its existence; and an effectual unchartering all that part of the grant which was not before disposed of. And consequently the state of Virginia, standing thus in succession to the crown, can be entitled to no

more extent of country as a state under the union, than what it possessed as a province under the crown. And all lands exterior to these bounds, as well of Virginia as the rest of the states, devolve, in the order of succession, to the sovereignty of the United States, for the benefit of all.

And this brings the case to what were the limits of Virginia as a province under the crown of England.

Charter it had none. Its limits then rested at the discretion of the authority to which it was subject. Maryland and Pennsylvania became its boundary to the eastward and northward, and North Carolina to the southward, therefore the boundary to the westward was the only principal line to be ascertained.

As Virginia from a proprietary soil and government was become what then bore the name of a royal one, the extent of the province, as the order of things then stood (for something must always be admitted whereon to form a beginning) was wholly at the disposal of the crown of England, who might enlarge or diminish, or erect new governments to the westward, by the same authoritative right that Virginia now can divide a county into two, if too large, or too inconvenient.

To say, as has been said, that Pennsylvania, Maryland, and North-Carolina, were taken out of Virginia, is no more than to say, they were taken out of America; because Virginia was the common name of all the country, north and south; and to say they were taken out of the chartered limits of Virginia, is likewise to say nothing; because, after the dissolution or extinction of the proprietary company, there was nobody to whom any provincial limits became chartered. The extinction of the company was the extinction of the chartered limits. The patent could not survive the company, because it was to them a right, which, when they expired, ceased to be any body's else in their stead.

But to return to the western boundary of Virginia at the commencement of the revolution.

Charters, like proclamations, were the sole act of the crown, and if the former were adequate to fix limits to the

lands which it gave away, sold, or otherwise disposed of, the latter were equally adequate to fix limits or divisions to those which it retained; and therefore, the western limits of Virginia, as the proprietary company was extinct and consequently the patent with it, must be looked for in the line of proclamations.

I am not fond of quoting these old remains of former arrogance, but as we must begin somewhere, and as the states have agreed to regulate the right of each state to territory, by the condition each stood in with the crown of England at the commencement of the revolution, we have no other rule to go by; and any rule which can be agreed on is better than none.

From the proclamation then of 1763, the western limits of Virginia, as a province under the crown of England, are described so as not to extend beyond the heads of any of the rivers which empty themselves into the Atlantic, and consequently the limits did not pass over the Allegany mountains.

The following is an extract from the proclamation of 1763, so far as respects boundary:

"And whereas, it is *just* and *reasonable* and *essential to our interest*, and the security of our colonies, that the several nations or tribes of Indians, with whom we are connected, and who live under our protection, should not be molested or disturbed in the possession of such parts of our dominions and territories, *as, not having been ceded to, or purchased by us, are reserved to them or any of them as their hunting grounds;* we do therefore, with the advice of our privy council, declare it to be our royal will and pleasure that no governor, or commander-in-chief, in any of our colonies of Quebec, East-Florida, or West-Florida, do presume upon any pretence whatever, to grant warrants of survey, or pass any patents for lands beyond the bounds of their respective governments, as described in their commissions: as ALSO that no governor or commander-in chief of our colonies or plantations in America, do presume, for the present, and until our further pleasure be known, to grant warrants of survey or pass patents for any lands *beyond the heads or sources of any of the rivers which*

fall into the Atlantic ocean, from the west or northwest, or upon any lands whatever, *which not having been ceded to or purchased by us, as aforesaid, are reserved unto the said Indians, or any of them.*

"And we do further declare it to be our royal will and pleasure, for the present, as aforesaid, to reserve under our sovereignty, protection, and dominion, *for the use of the said Indians, all lands and territories*, not included within the limits of our said three new governments, or within the limits of the territory granted to the Hudson's bay company; as also, *all the lands and territories lying to the westward of the sources of the rivers, which fall into the sea from the west and northwest, as aforesaid;* and we do hereby strictly forbid, on pain of our displeasure, all our loving subjects from making any purchases or settlements whatever, or taking possession of any of the lands above reserved, without our especial leave and license for that purpose first obtained.

"And we do further strictly enjoin and require all persons whatever, who have either willfully or inadvertently seated themselves upon any lands within the countries above described, or upon any other lands, *which, not having been ceded to, or purchased by us*, are still reserved to the said Indians, as aforesaid, forthwith to remove themselves from such settlements."

It is easy for us to understand, that the frequent and plausible mention of the Indians was only a pretext to create an idea of the humanity of government. The object and intention of the proclamation was the western boundary, which is here signified not to extend beyond the heads of the rivers: and these, then, are the western limits which Virginia had as a province under the crown of Britain.

And agreeable to the intention of this proclamation, and the limits described thereby, lord Hillsborough, then secretary of state in England, addressed an official letter, of the 31st of July, 1770, to lord Bottetourt, at that time governor of Virginia, which letter was laid before the council of Virginia by Mr. president Nelson, and by him answered on the 18th of October, in the same year, of which the following are extracts:

"On the evening of the day your lordship's letter to the governor was delivered to me (as it contains matters of great variety and importance) it was read in council, and, together with the several papers inclosed, it hath been maturely considered, and I now trouble your lordship with theirs as well as my own opinion upon the subject of them.

"We do not presume to say to whom our gracious sovereign shall grant the vacant lands," and "with regard to the establishment of a *new colony on the back of Virginia*, it is a subject of too great political importance for me to presume to give an opinion upon; however, permit me, my lord, to observe, that when that part of the country shall become sufficiently populated it may be a wise and prudent measure."

On the death of lord Bottetourt, lord Dunmore was appointed to the government, and he, either from ignorance of the subject or other motives, made a grant of some lands on the Ohio to certain of his friends and favorites, which produced the following letter from lord Dartmouth, who succeeded lord Hillsborough as secretary of state:

"I think fit to inclose your lordship a copy of lord Hillsborough's letter to lord Bottetourt, of the 31st of July, 1770, the receipt of which was acknowledged by Mr. president Nelson, a few days before lord Bottetourt's death, and appears by his answer to it, to have been laid before the council. That board, therefore, could not be ignorant of what has passed here upon Mr. Walpole's application, nor of the king's express command, contained in lord Hillsborough's letter, that no lands should be granted beyond the limits of the royal proclamation of 1763, until the king's further pleasure was signified; and I have only to observe, that it must have been a very extraordinary neglect in them not to have informed your lordship of that letter and those orders."

On these documents I shall make no remarks. They are their own evidence, and show what the limits of Virginia were while a British province; and as there was then no other authority by which they could be fixed, and as the grant to the London company could not be a grant to any

but themselves, and of consequence ceased to be when they ceased to exist, it remained a matter of choice in the crown, on its re-assumption of the lands, to limit or divide them into separate governments, as it judged best, and from which there was not, and could not, in the order of government, be any appeal. Neither was Virginia, as a province, affected by it, because the monies, in any case, arising from the sale of lands, did not go into her treasury; and whether to the crown or to the proprietors was to her indifferent. And it is likewise evident, from the secretary's letter, and the president's answer, that it was in contemplation to lay out a new colony on the *back* of Virginia, between the Allegany mountains and the Ohio.

Having thus gone through the several charters, or grants, and their relation to each other, and shown that Virginia cannot stand in succession to a private grant, which has been extinct for upwards of 150 years—and that the western limits of Virginia, at the commencement of the revolution, were at the heads of the rivers emptying themselves into the Atlantic, none of which are beyond the Allegany mountains; I now proceed to the second part, namely,

The reasonableness of her claims.

Virginia, as a British province, stood in a different situation with the crown of England to any of the other provinces, because she had no ascertained limits, but such as arose from laying off new provinces and the proclamation of 1763. For the same name, Virginia, as I have before mentioned, was the general name of all the country, and the dominion out of which the several governments were laid off: and, in strict propriety, conformable to the origin of names, the province of Virginia was taken out of the dominion of Virginia. For the term, *dominion*, could not appertain to the province, which retained the name of Virginia, but to the crown, and from thence was applied to the whole country, and signified its being an appendage to the crown of England, as they say now, "*our dominion of Wales.*"

It is not possible to suppose there could exist an idea that Virginia, as a British province, was to be extended to the

South sea, at the distance of three thousand miles. The dominion, as appertaining at that time to the crown, might be claimed to extend so far, but as a province the thought was not conceivable, nor the practice possible.

And it is more than probable, that the deception made use of to obtain the patent of 1609, by representing the South sea to be near where the Allegany mountains are, was one cause of its becoming extinct; and it is worthy of remarking, that no history (at least that I have met with) mentions any dispute or litigation, between the crown and the company, in consequence of the extinction of the patent, and the re-assumption of the lands; and, therefore, the negative evidence corroborating with the positive, makes it as certain as such a case can possibly be, that either the company received a compensation for the patent, or quitted it quietly, ashamed of the imposition they had practised, and their subsequent mal-administration. Men are not inclined to give up a claim where there is any ground to contend upon, and the silence in which the patent expired is a presumptive proof that its fate, from whatever cause, was just.

There is one general policy which seems to have prevailed with the English in laying off new governments, which was, not to make them larger than their own country, that they might the easier hold them manageable: this was the case with every one except Canada, the extension of whose limits was for the politic purpose of recognizing new acquisitions of territory, not immediately convenient for colonization.

But, in order to give this matter a chance through all its cases, I will admit what no man can suppose, which is, that there is an English charter that fixes Virginia to extend from the Atlantic to the South sea, and contained within a due west line, set off two hundred miles below cape Comfort, and a northwest line, set off two hundred miles above it. Her side, then, on the Atlantic (according to an explanation given in Mr. Bradford's paper of Sept. 29, 1779, by an advocate for the Virginia claims) will be four hundred miles; her side to the south three thousand; her side to the west four thousand; and her northwest line about five thousand; and

the quantity of land contained within these dimensions will be almost four thousand millions of acres, which is more than ten times the quantity contained within the present United States, and above an hundred times greater than the kingdom of England.

To reason on a case like this, is such a waste of time, and such an excess of folly, that it ought not to be reasoned upon. It is impossible to suppose that any patent to private persons could be so intentionally absurd, and the claim grounded thereon, is as wild as any thing the imagination of man ever conceived.

But if, as I before mentioned, there was a charter which bore such an explanation, and Virginia stood in succession to it, what would that be to us, any more than the will of Alexander, had he taken it into his head to have bequeathed away the world? Such a charter, or grant, must have been obtained by imposition and a false representation of the country, or granted in error, or both; and in any of, or all these cases, the United States must reject the matter as something they cannot know, for the merits will not bear an argument, and the pretension of right stands upon no better ground.

Our case is an original one; and many matters attending it must be determined on their own merits and reasonableness. The territory of the rest of the states is, in general, within known bounds of moderate extent, and the quota which each state is to furnish towards the expense and service of the war, must be ascertained upon some rule of comparison. The number of inhabitants of each state formed the first rule; and it was naturally supposed that those numbers bore nearly the same proportion to each other, which the territory of each state did. Virginia on this scale, would be about one fifth larger than Pennsylvania, which would be as much dominion as any state could manage with happiness and convenience.

When I first began this subject, my intention was to be extensive on the merits, and concise on the matter of the right; instead of which, I have been extensive on the matter

of right, and concise on the merits of reasonableness: and this alteration in my design arose, consequentially, from the nature of the subject; for as a reasonable thing the claim can be supported by no argument, and therefore, needs none to refute it; but as there is a strange propensity in mankind to shelter themselves under the sanction of right, however unreasonable that supposed right may be, I found it most conducive to the interest of the case, to show, that the right stands upon no better grounds than the reason. And shall therefore proceed to make some observations on the consequences of the claim.

The claim being unreasonable in itself, and standing on no ground of right, but such as, if true, must, from the quarter it is drawn, be offensive, has a tendency to create disgust, and sour the minds of the rest of the states. Those lands are capable, under the management of the United States, of repaying the charges of the war, and some of them, as I shall hereafter show, may, I presume, be made an immediate advantage of.

I distinguish three different descriptions of land in America at the commencement of the revolution. Proprietary or chartered lands, as was the case in Pennsylvania; crown lands, within the described limits of any of the crown governments; and crown residuary lands, that were without or beyond the limits of any province; and those last were held in reserve whereon to erect new governments, and lay out new provinces; as appears to have been the design by lord Hillsborough's letter, and the president's answer, wherein he says, "with respect to the establishment of a *new* colony on the *back* of Virginia, it is a subject of too great political importance for me to presume to give an opinion upon; however, permit me, my lord, to observe, that when that part of the country shall become populated, it may be a wise and prudent measure."

The expression is, a "*new colony* on the *back* of Virginia;" and referred to lands between the heads of the rivers and the Ohio. This is a proof that those lands were not considered within, but beyond the limits of Vir-

ginia, as a colony; and the other expression in the letter is equally descriptive, namely, "*We do not presume to say, to whom our gracious sovereign shall grant his vacant lands.*" Certainly then, the same right, which, at that time rested in the crown, rests now in the more supreme authority of the United States; and therefore, addressing the president's letter to the circumstances of the revolution, it will run thus:

"We do not presume to say to whom the *sovereign United States* shall grant their vacant lands, and with respect to the settlement of a *new colony* on the *back* of Virginia, it is a matter of too much political importance for me to give an opinion upon; however, permit me to observe, that when that part of the country shall become populated it may be a wise and prudent measure."

It must occur to every person, on reflection, that those lands are too distant to be within the government of any of the present states; and, I may presume to suppose, that were a calculation justly made, Virginia has lost more by the decrease of taxables, than she has gained by what lands she has made sale of; therefore, she is not only doing the rest of the states wrong in point of equity, but herself and them an injury in point of strength, service, and revenue.

It is only the United States, and not any single state, that can lay off new states, and incorporate them in the union by representation; therefore, the situation which the settlers on those lands will be in, under the assumed right of Virginia, will be hazardous and distressing, and they will feel themselves at last like the aliens to the commonwealth of Israel, their habitations unsafe and their title precarious.

And when men reflect on that peace, harmony, quietude, and security, which are necessary to prosperity, especially in making new settlements, and think that when the war shall be ended, their happiness and safety will depend on a union with the states, and not a scattered people, unconnected with, and politically unknown to the rest, they will feel but little inclination to put themselves in a situation, which, however solitary and recluse it may appear at present,

will then be uncertain and unsafe, and their troubles will have to begin where those of the United States shall end.

It is probable that some of the inhabitants of Virginia may be inclined to suppose that the writer of this, by taking up the subject in the manner he has done, is arguing unfriendly against their interest. To which he wishes to reply:

That the most extraordinary part of the whole is, that Virginia should countenance such a claim. For it is worthy of observing, that, from the beginning of the contest with Britain, and long after, there was not a people in America who discovered, through all the variety and multiplicity of public business, a greater fund of true wisdom, fortitude, and disinterestedness, than the then colony of Virginia. They were loved—They were reverenced. Their investigation of the assumed rights of Britain had a sagacity which was uncommon. Their reasonings were piercing, difficult to be equalled and impossible to be refuted, and their public spirit was exceeded by none. But since this unfortunate land scheme has taken place, their powers seem to be absorbed; a torpor has overshaded them, and every one asks, What is become of Virginia?

It seldom happens that the romantic schemes of extensive dominion are of any service to a government, and never to a people. They assuredly end at last in loss, trouble, division and disappointment. And was even the title of Virginia good, and the claim admissible, she would derive more lasting and real benefit by participating in it, than by attempting the management of an object so infinitely beyond her reach. Her share with the rest, under the supremacy of the United States, which is the only authority adequate to the purpose, would be worth more to her than what the whole would produce under the management of herself alone. And that for several reasons:

1st, Because her claim not being admissible nor yet manageable, she cannot make a good title to the purchasers, and consequently can get but little for the lands.

2d, Because the distance the settlers will be from her, will

immediately put them out of all government and protection, so far, at least as relates to Virginia: and by this means she will render her frontiers a refuge to desperadoes, and a hiding place from justice; and the consequence will be perpetual unsafety to her own peace, and that of the neighbouring states.

3d, Because her quota of expense for carrying on the war, admitting her to engross such an immensity of territory, would be greater than she can either support or supply, and could not be less, upon a reasonable rule of proportion, than nine-tenths of the whole. And,

4th, Because she must sooner or later relinquish them; therefore to see her own interest wisely at first, is preferable to the alternative of finding it out by misfortune at last.

I have now gone through my examination of the claim of Virginia, in every case which I proposed; and for several reasons, wish the lot had fallen to another person. But as this is a most important matter, in which all are interested, and the substantial good of Virginia not injured but promoted, and as few men have leisure, and still fewer have inclination, to go into intricate investigation, I have at last ventured on the subject.

The succession of the United States to the vacant Western territory is a right they originally set out upon; and in the pamphlet "Common Sense," I frequently mentioned those lands as a national fund for the benefit of all; therefore, resuming the subject where I then left off, I shall conclude with concisely reducing to system what I then only hinted.

In my last piece, the "Crisis Extraordinary," I estimated the annual amount of the charge of war and the support of the several governments at two million pounds sterling, and the peace establishment at three quarters of a million, and, by a comparison of the taxes of this country with those of England, proved that the whole yearly expense to us, to defend the country, is but a third of what Britain would have drawn from us by taxes, had she succeeded in her attempt to conquer; and our peace establishment only an eighth part; and likewise showed, that it was within the

ability of the states to carry on the whole of the war by taxation, without having recourse to any other modes or funds. To have a clear idea of taxation is necessary to every country, and the more funds we can discover and organize, the less will be the hope of the enemy, and the readier their disposition to peace, which it is now *their* interest more than *ours* to promote.

I have already remarked that only the United States, and not any particular state, can lay off new states and incorporate them into the union by representation; keeping, therefore, this idea in view, I ask, might not a substantial fund be quickly created by laying off a new state, so as to contain between twenty and thirty millions of acres, and opening a land office in all countries in Europe for hard money, and in this country for supplies in kind, at a certain price.

The tract of land that seems best adapted to answer this purpose is contained between the Allegany mountains and the river Ohio, as far north as the Pennsylvania line, thence extending down the said river to the falls thereof, thence due south into the latitude of the North-Carolina line, and thence east to the Allegany mountains aforesaid. I the more readily mention this tract, because it is fighting the enemy with their own weapons, as it includes the same ground on which a new colony would have been erected, for the emolument of the crown of England, as appears by the letters of lords Hillsborough and Dartmouth, had not the revolution prevented its being carried into effect.

It is probable that there may be some spots of private property within this tract, but to incorporate them into some government will render them more profitable to the owners, and the condition of the scattered settlers more eligible and happy than at present.

If twenty millions of acres of this new state be patented and sold at twenty pounds sterling per hundred acres, they will produce four million pounds sterling, which, if applied to continental expenses only, will support the war for three years, should Britain be so unwise as to prosecute it against her own direct interest and against the interest and policy

of all Europe. The several states will then have to raise taxes for their internal government only, and the continental taxes, as soon as the fund begins to operate, will lessen, and if sufficiently productive, will cease.

Lands are the real riches of the habitable world, and the natural funds of America. The funds of other countries are, in general, artificially constructed; the creatures of necessity and contrivance; dependant upon credit, and always exposed to hazard and uncertainty. But lands can neither be annihilated nor lose their value; on the contrary, they universally rise with population, and rapidly so, when under the security of effectual government. But this it is impossible for Virginia to give, and therefore, that which is capable of defraying the expenses of the empire, will, under the management of any single state, produce only a fugitive support to wandering individuals.

I shall now inquire into the effects which the laying out a new state, under the authority of the United States, will have upon Virginia. It is the very circumstance she ought to, and must, wish for, when she examines the matter in all its bearings and consequences.

The present settlers beyond her reach, and her supposed authority over them remaining in herself, they will appear to her as revolters, and she to them as oppressors; and this will produce such a spirit of mutual dislike, that in a little time a total disagreement will take place, to the disadvantage of both. But under the authority of the United States the matter is manageable, and Virginia will be eased of a disagreeable consequence.

Besides this, a sale of the lands, continentally, for the purpose of supporting the expense of the war, will save her a greater share of taxes, than the small sale which she could make herself, and the small price she could get for them would produce.

She would likewise have two advantages which no other state in the union enjoys; first, a frontier state for her defence against the incursions of the Indians; and the second is, that the laying out and peopling a new state on the back of an old one, situated as she is, is doubling the quantity of its trade.

The new state which is here proposed to be laid out, may

send its exports down the Mississippi, but its imports must come through Chesapeake bay, and consequently Virginia will become the market for the new state; because, though there is a navigation from it, there is none into it, on account of the rapidity of the Mississippi.

There are certain circumstances that will produce certain events whether men think of them or not. The events do not depend upon thinking, but are the natural consequence of acting; and according to the system which Virginia has gone upon, the issue will be, that she will get involved with the back settlers in a contention about *rights*, till they dispute with their own claims; and, soured by the contention, will go to any other state for their commerce; both of which may be prevented, a perfect harmony established, the strength of the states increased, and the expenses of the war defrayed, by settling the matter now on the plan of a general right; and every day it is delayed, the difficulty will be increased and the advantages lessened.

But if it should happen, as it possibly may, that the war should end before the money, which the new state may produce, be expended, the remainder of the lands therein may be set apart to reimburse those whose houses have been burnt by the enemy, as this is a species of suffering which it was impossible to prevent, because houses are not moveable property; and it ought not to be that because we cannot do every thing, that we ought not to do what we can.

Having said this much on the subject, I think it necessary to remark, that the prospect of a new fund, so far from abating our endeavours in making every immediate provision for the army, ought to quicken us therein; for should the states see it expedient to go upon the measure, it will be at least a year before it can be productive. I the more freely mention this, because there is a dangerous species of popularity, which, I fear, some men are seeking from their constituents by giving them grounds to believe, that if they are elected they will lighten the taxes; a measure which, in the present state of things, cannot be done without exposing the country to the ravages of the enemy by disabling the army from defending it.

Where knowledge is a duty, ignorance is a crime; and if any man whose duty it was to know better, has encouraged such an expectation, he has either deceived himself or them: besides, no country can be defended without expense, and let any man compare his portion of temporary inconveniences arising from taxation with the real distresses of the army for the want of supplies, and the difference is not only sufficient to strike him dumb, but make him thankful that worse consequences have not followed.

In advancing this doctrine, I speak with an honest freedom to the country; for as it is their good to be defended, so it is their interest to provide that defence, at least till other funds can be organized.

As the laying out new states will some time or other be the business of the country, and as it is yet a new business to us, and as the influence of the war has scarcely afforded leisure for reflecting on distant circumstances, I shall throw together a few hints for facilitating that measure whenever it may be proper for adopting it.

The United States now standing on the line of sovereignty, the vacant territory is their property collectively, but the persons by whom it may hereafter be peopled will also have an equal right with ourselves; and therefore, as new states shall be laid off and incorporated with the present, they will become partakers of the remaining territory with us who are already in possession. And this consideration ought to heighten the value of lands to new emigrants: because, in making the purchases, they not only gain an immediate property, but become initiated into the right and heirship of the states to a property in reserve, which is an additional advantage to what any purchasers under the late government of England enjoyed.

The setting off the boundary of any new state will naturally be the first step, and as it must be supposed not to be peopled at the time it is laid off, a constitution must be formed by the United States, as the rule of government in any new state, for a certain term of years (perhaps ten) or until the state becomes peopled to a certain number of in-

habitants; after which, the whole and sole right of modelling their government to rest with themselves.

A question may arise, whether a new state should immediately possess an equal right with the present ones in all cases which may come before congress.

This, experience will best determine; but at a first view of the matter it appears thus: that it ought to be immediately incorporated into the union on the ground of a family right, such a state standing in the line of a younger child of the same stock; but as new emigrants will have something to learn when they first come to America, and a new state requiring aid rather than capable of giving it, it might be most convenient to admit its immediate representation into congress, there to sit, hear and debate on all questions and matters, but not to vote on any till after the expiration of seven years.

I shall in this place take the opportunity of renewing a hint which I formerly threw out in the pamphlet "Common Sense," and which the several states will, sooner or later, see the convenience if not the necessity of adopting; which is, that of electing a continental convention, for the purpose of forming a continental constitution, defining and describing the powers and authority of congress.

Those of entering into treaties, and making peace, they naturally possess, in behalf of the states, for their separate as well as their united good, but the internal control and dictatorial powers of congress are not sufficiently defined, and appear to be too much in some cases and too little in others; and therefore, to have them marked out legally will give additional energy to the whole, and a new confidence to the several parts.[1]

[1] When, at Washington's request, a bill to bestow on Paine an *honorarium* of £2000 for his services in the Revolution was introduced into the Virginia Legislature (June 30, 1784), it was lost by one vote, because (according to Richard Henry Lee) of his "having written a pamphlet injurious to our claim of Western Territory." Yet before this Virginia had conceded its claim, on certain conditions, to the United States. The concession was accepted by Congress (March 1, 1784), but the conditions neither admitted nor rejected; and this evasion seems to have left in Virginia a soreness which rendered Paine's pamphlet, which involved the formidable issue of State sovereignty, a costly effort of patriotism to himself. See my "Life of Paine," vol. i., pp. 163 *seq.*, 206.—*Editor.*

V.

LETTER TO THE ABBE RAYNAL.[1]

INTRODUCTION.

A LONDON translation of an original work in French, by the abbe Raynal, which treats of the revolution of North-America, having been re-printed in Philadelphia and other parts of the continent, and as the distance at which the abbe is placed from the American theatre of war and politics, has occasioned him to mistake several facts, or misconceive the causes or principles by which they were produced, the following tract, therefore, is published with a view to rectify them, and prevent even accidental errors from intermixing with history, under the sanction of time and silence.

The editor of the London edition has entitled it, "*The Revolution of America*, by the ABBE RAYNAL," and the American printers have followed the example. But I have understood, and I believe my information just, that the piece, which is more properly reflections on the revolution, was unfairly purloined from the printer whom the abbe employed, or from the manuscript copy, and is only part of a larger work then in the press, or preparing for it. The person who procured it, appears to have been an Englishman, and though, in an advertisement prefixed to the London edition, he has endeavoured to gloss over the embezzlement

[1] This pamphlet was published in 1782, with the following title: "Letter to the Abbe Raynal, on the Affairs of North America: in which the Mistakes in the Abbe's Account of the Revolution of America are Corrected and Cleared up."—*Editor*.

with professions of patriotism, and to soften it with high encomiums on the author, yet the action in any view in which it can be placed, is illiberal and unpardonable.

"In the course of his travels," says he, "the translator happily succeeded in obtaining a copy of this exquisite little piece which has not made its appearance from any press. He publishes a French edition, in favor of those who feel its eloquent reasoning more forcibly in its native language, at the same time with the following translation of it: in which he has been desirous, perhaps in vain, that all the warmth, the grace, the strength, the dignity of the original, should not be lost. And he flatters himself, that the indulgence of the illustrious historian will not be wanting to a man, who, of his own motion, has taken the liberty to give this composition to the public, only from a strong pursuasion, that its momentous argument will be useful in a critical conjuncture, to that country which he loves with an ardour that can be exceeded only by the nobler flame, which burns in the bosom of the philanthropic author, for the freedom and happiness of all the countries upon earth."

This plausibility of setting off a dishonourable action, may pass for patriotism and sound principles with those who do not enter into its demerits, and whose interest is not injured nor their happiness affected thereby. But it is more than probable, notwithstanding the declarations it contains, that the copy was obtained for the sake of profiting by the sale of a new and popular work, and that the professions are but a garb to the fraud.

It may with propriety be marked, that in all countries where literature is protected, and it never can flourish where it is not, the works of an author are his legal property; and to treat letters in any other light than this, is to banish them from the country, or strangle them in the birth.—The embezzlement from the abbe Raynal, was, it is true, committed by one country upon another, and therefore shows no defect in the laws of either. But it is nevertheless a breach of civil manners and literary justice: neither can it be any apology,

that because the countries are at war, literature shall be entitled to depredation.*

But the forestalling the abbe's publication by London editions, both in French and English, and thereby not only defrauding him and throwing an expensive publication on his hands by anticipating the sale, are only the smaller injuries which such conduct may occasion. A man's opinions, whether written or in thought, are his own, until he pleases to publish them himself; and it is adding cruelty to injustice, to make him the author of what future reflection, or better information, might occasion him to suppress or amend. There are declarations and sentiments in the abbe's piece which, for my own part, I did not expect to find, and such as himself, on a revisal, might have seen occasion to change; but the anticipated piracy effectually prevented his having the opportunity, and precipitated him into difficulties, which, had it not been for such ungenerous fraud, might not have happened.

This mode of making an author appear before his time, will appear still more ungenerous, when we consider how very few men there are in any country, who can at once, and without the aid of reflection and revisal, combine warm passions with a cool temper, and the full expansion of the imagination with the natural and necessary gravity of judgment, so as to be rightly balanced within themselves, and to make a reader feel, fancy, and understand justly at the same time. To call three powers of the mind into action at once, in a manner that neither shall interrupt, and that each

* The state of literature in America must one day become a subject of legislative consideration. Hitherto it hath been a disinterested volunteer in the service of the revolution, and no man thought of profits: but when peace shall give time and opportunity for study, the country will deprive itself of the honour and service of letters and the improvement of science, unless sufficient laws are made to prevent depredations on literary property. It is well worth remarking, that Russia, who but a few years ago was scarcely known in Europe, owes a large share of her present greatness to the close attention she has paid, and the wise encouragement she has given, to every branch of science and learning: and we have almost the same instance in France, in the reign of Louis XIV.—*Author.*

shall aid and invigorate the other, is a talent very rarely possessed.

It often happens that the weight of an argument is lost by the wit of setting it off; or the judgment disordered by an intemperate irritation of the passions: yet a certain degree of animation must be felt by the writer, and raised in the reader, in order to interest the attention; and a sufficient scope given to the imagination, to enable it to create in the mind a sight of the persons, characters and circumstances of the subject: for without these, the judgment will feel little or no excitement to office, and its determinations will be cold, sluggish, and imperfect. But if either or both of the two former are raised too high, or heated too much, the judgment will be jostled from its seat, and the whole matter, however important in itself, will diminish into a pantomime of the mind, in which we create images that promote no other purpose than amusement.

The abbe's writings bear evident marks of that extension and rapidness of thinking and quickness of sensation, which of all others require revisal, and the more particularly so, when applied to the living characters of nations or individuals in a state of war. The least misinformation or misconception leads to some wrong conclusion, and an error believed, becomes the progenitor of others. And, as the abbe has suffered some inconveniences in France, by mistaking certain circumstances of the war, and the characters of the parties therein, it becomes some apology for him that those errors were precipitated into the world by the avarice of an ungenerous enemy.

LETTER TO THE ABBE RAYNAL.

To an author of such distinguished reputation as the abbe Raynal, it might very well become me to apologize for the present undertaking; but, as *to be right* is the first wish of philosophy, and the first principle of history, he will, I presume, accept from me a declaration of my motives, which are those of doing justice, in preference to any complimental apology I might otherwise make. The abbe, in the course of his work, has, in some instances, extolled without a reason, and wounded without a cause. He has given fame where it was not deserved, and withheld it where it was justly due; and appears to be so frequently in and out of temper with his subjects and parties, that few or none of them are decisively and uniformly marked.

It is yet too soon to write the history of the revolution, and whoever attempts it precipitately, will unavoidably mistake characters and circumstances, and involve himself in error and difficulty. Things, like men, are seldom understood rightly at first sight. But the abbe is wrong even in the foundation of his work; that is, he has misconceived and mis-stated the causes which produced the rupture between England and her then colonies, and which led on, step by step, unstudied and uncontrived on the part of America, to a revolution, which has engaged the attention, and affected the interest of Europe.

To prove this, I shall bring forward a passage, which, though placed towards the latter part of the abbe's work, is more intimately connected with the beginning; and in which, speaking of the original cause of the dispute, he declares himself in the following manner—

"None," says he, "of those energetic causes, which have produced so many revolutions upon the globe, existed in North-America. Neither religion nor laws had there been outraged. The blood of martyrs or patriots had not there streamed from scaffolds. Morals had not there been insulted. Manners, customs, habits, no object dear to nations, had there been the sport of ridicule. Arbitrary power had not there torn any inhabitant from the arms of his family and friends, to drag him to a dreary dungeon. Public order had not been there inverted. The principles of administration had not been changed there; and the maxims of government had there always remained the same. The whole question was reduced to the knowing whether the mother country had, or had not, a right to lay, directly or indirectly, a slight tax upon the colonies."

On this extraordinary passage, it may not be improper, in general terms, to remark, that none can feel like those who suffer; and that for a man to be a competent judge of the provocatives, or as the abbe styles them, the energetic causes of the revolution, he must have resided at the time in America.

The abbe, in saying that the several particulars he has enumerated, did not exist in America, and neglecting to point out the particular period, in which he means they did not exist, reduces thereby his declaration to a nullity, by taking away all meaning from the passage.

They did not exist in 1763, and they all existed before 1776; consequently as there was a time when they did *not*, and another, when they *did* exist, the *time when* constitutes the essence of the fact, and not to give it is to withhold the only evidence which proves the declaration right or wrong, and on which it must stand or fall. But the declaration as it now appears, unaccompanied by time, has an effect in holding out to the world, that there was no real cause for the revolution, because it denies the existence of all those causes, which are supposed to be justifiable, and which the abbe styles energetic.

I confess myself exceedingly at a loss to find out the time to which the abbe alludes; because, in another part of, the work, in speaking of the stamp act, which was passed in

1764, he styles it "an *usurpation* of the Americans' *most precious and sacred rights.*" Consequently he here admits the most energetic of all causes, that is, *an usurpation of their most precious and sacred rights*, to have existed in America twelve years before the declaration of independence, and ten years before the breaking out of hostilities. The time, therefore, in which the paragraph is true, must be antecedent to the stamp act, but as at that time there was no revolution, nor any idea of one, it consequently applies without a meaning; and as it cannot, on the abbe's own principle, be applied to any time *after* the stamp act, it is therefore a wandering solitary paragraph, connected with nothing and at variance with everything.

The stamp act, it is true, was repealed in two years after it was passed, but it was immediately followed by one of infinitely more mischievous magnitude; I mean the declaratory act, which asserted the right, as it was styled, of the British parliament, "*to bind America in all cases whatsoever.*"

If then the stamp act was an usurpation of the Americans' most precious and sacred rights, the declaratory act left them no rights at all; and contained the full grown seeds of the most despotic government ever exercised in the world. It placed America not only in the lowest, but in the basest state of vassalage; because it demanded an unconditional submission in every thing, or as the act expresses it, *in all cases whatsoever*: and what renders this act the more offensive, is, that it appears to have been passed as an act of mercy; truly then may it be said, that *the tender mercies of the wicked are cruel.*

All the original charters from the crown of England, under the faith of which the adventurers from the old world settled in the new, were by this act displaced from their foundations; because, contrary to the nature of them, which was that of a compact, they were now made subject to repeal or alteration at the mere will of one party only. The whole condition of America was thus put into the hands of the parliament or ministry, without leaving to her the least right in any case whatsoever.

There is no despotism to which this iniquitous law did not extend; and though it might have been convenient in the execution of it, to have consulted manners and habits, the principle of the act made all tyranny legal. It stopped no where. It went to every thing. It took in with it the whole life of a man, or if I may so express it, an eternity of circumstances. It is the nature of law to require obedience, but this demanded servitude; and the condition of an American, under the operation of it, was not that of a subject, but a vassal. Tyranny has often been established *without* law and sometimes *against* it, but the history of mankind does not produce another instance, in which it has been established *by* law. It is an audacious outrage upon civil government, and cannot be too much exposed, in order to be sufficiently detested.

Neither could it be said after this, that the legislature of that country any longer made laws for this, but that it gave out commands; for wherein differed an act of parliament constructed on this principle, and operating in this manner, over an unrepresented people, from the orders of a military establishment?

The parliament of England, with respect to America, was not septennial but *perpetual.* It appeared to the latter a body always in being. Its election or expiration were to her the same as if its members succeeded by inheritance, or went out by death, or lived for ever, or were appointed to it as a matter of office. Therefore, for the people of England to have any just conception of the mind of America, respecting this extraordinary act, they must suppose all election and expiration in that country to cease for ever, and the present parliament, its heirs, etc. to be perpetual; in this case, I ask, what would the most clamorous of them think, were an act to be passed, declaring the right of *such a parliament* to bind *them* in all cases whatsoever? For this word *whatsoever* would go as effectually to their *magna charta, bill of rights, trial by juries, etc.* as it went to the charters and forms of government in America.

I am persuaded, that the gentleman to whom I address

these remarks, will not, after the passing of this act, say, "that the *principles* of administration had not been *changed* in America, and that the maxims of government had there been *always the same*." For here is, in principle, a total overthrow of the whole; and not a subversion only, but an annihilation of the foundation of liberty and absolute domination established in its stead.

The abbe likewise states the case exceedingly wrong and injuriously, when he says, that "*the whole* question was reduced to the knowing whether the mother country had, or had not, a right to lay, directly or indirectly, a *slight* tax upon the colonies." This was *not the whole* of the question; neither was the *quantity* of the tax the object either to the ministry or to the Americans. It was the principle, of which the tax made but a part, and the quantity still less, that formed the ground on which America resisted.

The tax on tea, which is the tax here alluded to, was neither more nor less than an experiment to establish the practice of the declaratory law upon; modelled into the more fashionable phrase *of the universal supremacy of parliament*. For until this time the declaratory law had lain dormant, and the framers of it had contented themselves with barely declaring an opinion.

Therefore the *whole* question with America, in the opening of the dispute, was, shall we be bound in all cases whatsoever by the British parliament, or shall we not? For submission to the tea or tax act implied an acknowledgment of the declaratory act, or, in other words, of the universal supremacy of parliament, which as they never intended to do, it was necessary they should oppose it, in its first stage of execution.

It is probable the abbe has been led into this mistake by perusing detached pieces in some of the American newspapers; for, in a case where all were interested, every one had a right to give his opinion; and there were many, who, with the best intentions, did not choose the best, nor indeed the true ground, to defend their cause upon. They felt themselves right by a general impulse, without being able to separate, analyze, and arrange the parts.

I am somewhat unwilling to examine too minutely into the whole of this extraordinary passage of the abbe, lest I should appear to treat it with severity; otherwise I could show that not a single declaration is justly founded: for instance, the reviving an obsolete act of the reign of Henry VIII. and fitting it to the Americans, by authority of which they were to be seized and brought from America to England, and there imprisoned and tried for any supposed offences, was, in the worst sense of the words, *to tear them, by the arbitrary power of parliament, from the arms of their families and friends, and drag them not only to dreary but distant dungeons.* Yet this act was contrived some years before the breaking out of hostilities. And again, though the blood of martyrs and patriots had not streamed on the scaffolds, it streamed in the streets, in the massacre of the inhabitants of Boston, by the British soldiery in the year 1770.

Had the abbe said that the causes which produced the revolution in America were originally *different* from those which produced revolutions in other parts of the globe, he had been right. Here the value and quality of liberty, the nature of government, and the dignity of man, were known and understood, and the attachment of the Americans to these principles produced the revolution, as a natural and almost unavoidable consequence. They had no particular family to set up or pull down. Nothing of personality was incorporated with their cause. They started even-handed with each other, and went no faster into the several stages of it, than they were driven by the unrelenting and imperious conduct of Britain. Nay, in the last act, the declaration of independence, they had nearly been too late; for had it not been declared at the exact time it was, I see no period in their affairs since, in which it could have been declared with the same effect, and probably not at all.

But the object being formed before the reverse of fortune took place, that is, before the operations of the gloomy campaign of 1776, their honour, their interest, their every thing, called loudly on them to maintain it; and that glow of

thought and energy of heart, which even a distant prospect of independence inspires, gave confidence to their hopes, and resolution to their conduct, which a state of dependance could never have reached. They looked forward to happier days and scenes of rest, and qualified the hardships of the campaign by contemplating the establishment of their newborn system.

If, on the other hand, we take a review of what part Britain has acted, we shall find everything which ought to make a nation blush,—the most vulgar abuse, accompanied by that species of haughtiness which distinguishes the hero of a mob from the character of a gentleman. It was equally as much from her manners as from her injustice that she lost the colonies. By the latter she provoked their principles, by the former she wore out their temper; and it ought to be held out as an example to the world, to show how necessary it is to conduct the business of government with civility. In short, other revolutions may have originated in caprice, or generated in ambition; but here, the most unoffending humility was tortured into rage, and the infancy of existence made to weep.

A union so extensive, continued and determined, suffering with patience and never in despair, could not have been produced by common causes. It must be something capable of reaching the whole soul of man and arming it with perpetual energy. It is in vain to look for precedents among the revolutions of former ages, to find out, by comparison, the causes of this. The spring, the progress, the object, the consequences, nay, the men, their habits of thinking, and all the circumstances of the country, are different. Those of other nations are, in general, little more than the history of their quarrels. They are marked by no important character in the annals of events; mixed in the mass of general matters, they occupy but a common page; and while the chief of the successful partisans stepped into power, the plundered multitude sat down and sorrowed. Few, very few of them are accompanied with reformation, either in government or manners; many of them with the most con-

summate profligacy. Triumph on the one side and misery on the other were the only events. Pains, punishments, torture, and death were made the business of mankind, until compassion, the fairest associate of the heart, was driven from its place, and the eye, accustomed to continual cruelty, could behold it without offence.

But as the principles of the present revolution differed from those which preceded it, so likewise did the conduct of America both in government and war. Neither the foul finger of disgrace nor the bloody hand of vengeance has hitherto put a blot upon her fame. Her victories have received lustre from a greatness of lenity; and her laws have been permitted to slumber, where they might justly be awakened to punish. War, so much the trade of the world, has here been only the business of necessity; and when the necessity shall cease, her very enemies must confess, that as she drew the sword in her just defence, she used it without cruelty, and sheathed it without revenge.

As it is not my design to extend these remarks to a history, I shall now take my leave of this passage of the abbe, with an observation, which, until something unfolds itself to convince me otherwise, I cannot avoid believing to be true;—which is, that it was the fixed determination of the British cabinet to quarrel with America at all events.

They (the members who composed the cabinet) had no doubt of success, if they could once bring it to the issue of a battle, and they expected from a conquest, what they could neither propose with decency, nor hope for by negotiation. The charters and constitutions of the colonies were become to them matters of offence, and their rapid progress in property and population were disgustingly beheld as the growing and natural means of independence. They saw no way to retain them long but by reducing them in time. A conquest would at once have made them both lords and landlords; and put them in the possession both of the revenue and the rental. The whole trouble of government would have ceased in a victory, and a final end put to remonstrance and debate. The experience of the stamp act had taught

them how to quarrel with the advantages of cover and convenience, and they had nothing to do but to renew the scene, and put contention into motion. They hoped for a rebellion, and they made one. They expected a declaration of independence, and they were not disappointed. But after this, they looked for victory, and they obtained a defeat.

If this be taken as the generating cause of the contest, then is every part of the conduct of the British ministry consistent from the commencement of the dispute, until the signing the treaty of Paris, after which, conquest becoming doubtful, they retreated to negotiation, and were again defeated.

Though the abbe possesses and displays great powers of genius, and is a master of style and language, he seems not to pay equal attention to the office of an historian. His facts are coldly and carelessly stated. They neither inform the reader nor interest him. Many of them are erroneous, and most of them are defective and obscure. It is undoubtedly both an ornament and a useful addition to history, to accompany it with maxims and reflections. They afford likewise an agreeable change to the style, and a more diversified manner of expression; but it is absolutely necessary that the root from whence they spring, or the foundation on which they are raised, should be well attended to, which in this work is not. The abbe hastens through his narrations as if he was glad to get from them, that he may enter the more copious field of eloquence and imagination.

The actions of Trenton and Princeton, in New-Jersey, in December 1776, and January following, on which the fate of America stood for a while trembling on the point of suspense, and from which the most important consequences followed, are comprised within a single paragraph, faintly conceived, and barren of character, circumstance and description.

"On the 25th of December," says the abbe, "they (the Americans) crossed the Delaware, and fell *accidentally* upon Trenton, which was occupied by fifteen hundred of the twelve thousand

Hessians, sold in so base a manner by their avaricious master, to the king of Great-Britain. This corps was *massacred*, taken, or dispersed. Eight days after, three English regiments were, in like manner, driven from Princeton, but after having better supported their reputation than the foreign troops in their pay."

This is all the account which is given of these interesting events. The abbe has preceded them by two or three pages on the military operations of both armies, from the time of general Howe's arriving before New-York from Halifax, and the vast reinforcements of British and foreign troops with lord Howe from England. But in these, there is so much mistake, and so many omissions, that, to set them right, must be the business of a history and not of a letter. The action of Long-Island is but barely hinted at, and the operations at the White-plains wholly omitted; as are likewise the attack and loss of fort Washington, with a garrison of about two thousand five hundred men, and the precipitate evacuation of fort Lee, in consequence thereof: which losses were in a great measure the cause of the retreat through the Jerseys to the Delaware, a distance of about ninety miles. Neither is the manner of the retreat described; which, from the season of the year, the nature of the country, the nearness of the two armies (sometimes within sight and shot of each other, for such a length of way) the rear of the one employed in pulling down bridges, and the van of the other in building them up, must necessarily be accompanied with many interesting circumstances.

It was a period of distresses. A crisis rather of danger than of hope. There is no description can do it justice; and even the actors in it, looking back upon the scene, are surprised how they got through; and at a loss to account for those powers of the mind, and springs of animation, by which they withstood the force of accumulated misfortune.

It was expected, that the time for which the army was enlisted, would carry the campaign so far into the winter, that the severity of the season, and the consequent condition of the roads, would prevent any material operation of the enemy,

until the new army could be raised for the next year. And I mention it, as a matter worthy of attention, by all future historians, that the movements of the American army, until the attack upon the Hessian post at Trenton, the 26th of December, are to be considered as operating to effect no other principal purpose than delay, and to wear away the campaign under all the disadvantages of an unequal force, with as little misfortune as possible.

But the loss of the garrison at fort Washington on the 16th of November, and the expiration of the time of a considerable part of the army, so early as the 30th of the same month, and which was to be followed by almost daily expirations afterwards, made retreat the only final expedient. To these circumstances may be added the forlorn and destitute condition of the few that remained; for the garrison of fort Lee, which composed almost the whole of the retreat, had been obliged to abandon it so instantaneously, that every article of stores and baggage was left behind, and in this destitute condition, without tent or blanket, and without any other utensils to dress their provision than what they procured by the way, they performed a march of about ninety miles, and had the address and management to prolong it to the space of nineteen days.

By this unexpected or rather unthought-of turn of affairs, the country was in an instant surprised into confusion, and found an enemy within its bowels, without an army to oppose him. There were no succours to be had, but from the free-will offering of the inhabitants. All was choice, and every man reasoned for himself.

It was in this situation of affairs, equally calculated to confound or to inspire, that the gentleman, the merchant, the farmer, the tradesman and the labourer mutually turned from all the conveniences of home, to perform the duties of private soldiers, and undergo the severities of a winter campaign. The delay so judiciously contrived on the retreat, afforded time for the volunteer reinforcements to join general Washington on the Delaware.

The abbe is likewise wrong in saying, that the American

army fell *accidentally* on Trenton. It was the very object for which general Washington crossed the Delaware in the dead of the night and in the midst of snow, storms, and ice; and which he immediately re-crossed with his prisoners, as soon as he had accomplished his purpose. Neither was the intended enterprise a secret to the enemy, information having been sent of it by letter, from a British officer at Princeton, to colonel Rolle, who commanded the Hessians at Trenton, which letter was afterwards found by the Americans. Nevertheless the post was completely surprised. A small circumstance, which had the appearance of mistake on the part of the Americans, led to a more capital and real mistake on the part of Rolle.

The case was this. A detachment of twenty or thirty Americans had been sent across the river, from a post a few miles above, by an officer unacquainted with the intended attack; these were met by a body of Hessians, on the night to which the information pointed, which was Christmas night, and repulsed. Nothing further appearing, and the Hessians mistaking this for the advanced party, supposed the enterprise disconcerted, which at that time was not begun, and under this idea returned to their quarters; so that, what might have raised an alarm, and brought the Americans into an ambuscade, served to take off the force of an information, and promote the success of the enterprise. Soon after daylight, general Washington entered the town, and after a little opposition, made himself master of it, with upwards of nine hundred prisoners.

This combination of equivocal circumstances, falling within what the abbe styles, "*the wide empire of chance*," would have afforded a fine field for thought, and I wish, for the sake of that elegance of reflection he is so capable of using, that he had known it.

But the action at Princeton was accompanied by a still greater embarrassment of matters, and followed by more extraordinary consequences. The Americans, by a happy stroke of generalship, in this instance, not only deranged and defeated all the plans of the British, in the intended

moment of execution, but drew from their posts the enemy they were not able to drive, and obliged them to close the campaign. As the circumstance is a curiosity in war, and not well understood in Europe, I shall, as concisely as I can, relate the principal parts; they may serve to prevent future historians from error, and recover from forgetfulness a scene of magnificent fortitude.[1]

Immediately after the surprise of the Hessians at Trenton, general Washington re-crossed the Delaware, which at this place is about three quarters of a mile over, and reassumed his former post on the Pennsylvania side. Trenton remained unoccupied, and the enemy were posted at Princeton, twelve miles distant, on the road towards New-York. The weather was now growing very severe, and as there were very few houses near the shore where general Washington had taken his station, the greatest part of his army remained out in the woods and fields. These, with some other circumstances, induced the re-crossing the Delaware and taking possession of Trenton. It was undoubtedly a bold adventure, and carried with it the appearance of defiance, especially when we consider the panic-struck condition of the enemy on the loss of the Hessian post. But in order to give a just idea of the affair, it is necessary that I should describe the place.

Trenton is situated on a rising ground, about three quarters of a mile distant from the Delaware, on the eastern or Jersey side; and is cut into two divisions by a small creek or rivulet, sufficient to turn a mill which is on it, after which it empties itself at nearly right angles into the Delaware. The upper division, which is that to the northeast, contains about seventy or eighty houses, and the lower about forty or fifty. The ground on each side this creek, and on which the houses are, is likewise rising, and the two divisions present an agreeable prospect to each other, with the creek

[1] Paine, who had retreated with Washington, fought in the battles of Trenton and Princeton. It was in the camp near Princeton that Washington gave Paine an overcoat, his own having been stolen ("Life of Paine," ii., p. 469). A piece of this coat, erroneously labelled as "worn at Bunker Hill," in the Leicester (England) Museum is now undiscoverable.—*Editor.*

between, on which there is a small stone bridge of one arch.

Scarcely had general Washington taken post here, and before the several parties of militia, out on detachments, or on their way, could be collected, than the British, leaving behind them a strong garrison at Princeton, marched suddenly and entered Trenton at the upper or northeast quarter. A party of the Americans skirmished with the advanced party of the British, to afford time for removing the stores and baggage, and withdrawing over the bridge.

In a little time the British had possession of one half of the town, general Washington of the other; and the creek only separated the two armies. Nothing could be a more critical situation than this, and if ever the fate of America depended upon the event of a day, it was now. The Delaware was filling fast with large sheets of driving ice, and was impassable; of course no retreat into Pennsylvania could be effected, neither is it possible, in the face of an enemy, to pass a river of such extent. The roads were broken and rugged with the frost, and the main road was occupied by the enemy.

About four o'clock a party of the British approached the bridge, with a design to gain it, but were repulsed. They made no more attempts, though the creek itself is passable any where between the bridge and the Delaware. It runs in a rugged, natural made ditch, over which a person may pass with little difficulty, the stream being rapid and shallow. Evening was now coming on, and the British, believing they had all the advantages they could wish for, and that they could use them when they pleased, discontinued all further operations, and held themselves prepared to make the attack next morning.

But the next morning produced a scene as elegant as it was unexpected. The British were under arms and ready to march to action, when one of their light-horse from Princeton came furiously down the street, with an account that general Washington had that morning attacked and carried the British post at that place, and was proceeding on to seize the

magazine at Brunswick; on which the British, who were then on the point of making an assault on the evacuated camp of the Americans, wheeled about, and in a fit of consternation marched for Princeton.

This retreat is one of those extraordinary circumstances, that in future ages may probably pass for fable. For it will with difficulty be believed, that two armies, on which such important consequences depended, should be crowded into so small a space as Trenton; and that the one, on the eve of an engagement, when every ear is supposed to be open, and every degree of watchfulness employed, should move completely from the ground, with all its stores, baggage and artillery, unknown and even unsuspected by the other. And so entirely were the British deceived, that when they heard the report of the cannon and small arms at Princeton, they supposed it to be thunder, though in the depth of winter.

General Washington, the better to cover and disguise his retreat from Trenton, had ordered a line of fires to be lighted up in front of his camp. These not only served to give an appearance of going to rest, and continuing that deception, but they effectually concealed from the British whatever was acting behind them, for flame can no more be seen through than a wall, and in this situation, it may with propriety be said, they became a pillar of fire to one army, and a pillar of cloud to the other. After this, by a circuitous march of about eighteen miles, the Americans reached Princeton early in the morning.

The number of prisoners taken were between two and three hundred, with which general Washington immediately set off. The van of the British army from Trenton entered Princeton about an hour after the Americans had left it, who, continuing their march for the remainder of the day, arrived in the evening at a convenient situation, wide of the main road to Brunswick, and about sixteen miles distant from Princeton. But so wearied and exhausted were they, with the continual and unabated service and fatigue of two days and a night, from action to action, without shelter, and almost without refreshment, that the bare and frozen ground, with no other

covering than the sky, became to them a place of comfortable rest. By these two events, and with but a little comparative force to accomplish them, the Americans closed with advantage a campaign, which, but a few days before, threatened the country with destruction. The British army, apprehensive for the safety of their magazines at Brunswick, eighteen miles distant, marched immediately for that place, where they arrived late in the evening, and from which they made no attempts to move, for nearly five months.

Having thus stated the principal outlines of these two most interesting actions, I shall now quit them, to put the abbe right in his mis-stated account of the debt and paper money of America, wherein, speaking of these matters, he says:

"These ideal riches were rejected. The more the multiplication of them was urged by want, the greater did their depreciation grow. The congress was indignant at the affront given to its money, and declared all those to be traitors to their country, who should not receive it as they would have received gold itself.

"Did not this body know, that prepossessions are no more to be controlled than feelings are? Did it not perceive that, in the present crisis, every rational man would be afraid of exposing his fortune? Did it not see, that at the beginning of a republic, it permitted to itself the exercise of such acts of despotism as are unknown even in the countries which are moulded to, and become familiar with, servitude and oppression? Could it pretend that it did not punish a want of confidence with the pains which would have been scarcely merited by revolt and treason? Of all this was the congress well aware. But it had no choice of means. Its despised and despicable scraps of paper were actually thirty times below their original value, when more of them were ordered to be made. On the 13th of September, 1779, there was of this paper among the public, to the amount of 35,544,155*l.* The state owed moreover 8,385,356*l.* without reckoning the particular debts of single provinces."

In the above recited passages, the abbe speaks as if the United States had contracted a debt of upwards of forty

million pounds sterling, besides the debts of the individual states. After which, speaking of foreign trade with America, he says, that "those countries in Europe, which are truly commercial ones, knowing that North-America had been reduced to contract debts, at the epoch even of her greatest prosperity, wisely thought that, in her present distress, she would be able to pay but very little, for what might be carried to her."

I know it must be extremely difficult to make foreigners understand the nature and circumstances of our paper money, because there are natives, who do not understand it themselves. But with us its fate is now determined. Common consent has consigned it to rest with that kind of regard, which the long service of inanimate things insensibly obtains from mankind. Every stone in the bridge, that has carried us over, seems to have a claim upon our esteem. But this was a corner stone, and its usefulness cannot be forgotten. There is something in a grateful mind, which extends itself even to things that can neither be benefited by regard, nor suffer by neglect: but so it is; and almost every man is sensible of the effect.

But to return. The paper money, though issued from congress under the name of dollars, did not come from that body always at that value. Those which were issued the first year, were equal to gold and silver. The second year less, the third still less, and so on, for nearly the space of five years: at the end of which, I imagine, that the whole value, at which congress might pay away the several emissions, taking them together, was about ten or twelve million pounds sterling.

Now as it would have taken ten or twelve millions sterling of taxes to carry on the war for five years, and, as while this money was issuing, and likewise depreciating down to nothing, there were none, or few valuable taxes paid; consequently the event to the public was the same, whether they sunk ten or twelve millions of expended money, by depreciation, or paid ten or twelve millions by taxation; for as they did not do both, and chose to do one, the matter which, in a

general view, was indifferent.[1] And therefore, what the abbe supposes to be a debt, has now no existence; it having been paid, by every body consenting to reduce, at his own expense, from the value of the bills continually passing among themselves, a sum, equal, nearly, to what the expense of the war was for five years.

Again. The paper money having now ceased, and the depreciation with it, and gold and silver supplied its place, the war will now be carried on by taxation, which will draw from the public a considerable less sum than what the depreciation drew; but as while they pay the former, they do not suffer the latter, and as when they suffered the latter, they did not pay the former, the thing will be nearly equal, with this moral advantage, that taxation occasions frugality and thought, and depreciation produced dissipation and carelessness.

And again. If a man's portion of taxes comes to less than what he lost by the depreciation, it proves that the alteration is in his favour. If it comes to more, and he is justly assessed, it shows that he did not sustain his proper share of depreciation, because the one was as operatively his tax as the other.

It is true, that it never was intended, neither was it foreseen, that the debt contained in the paper currency should sink itself in this manner; but as, by the voluntary conduct of all and of every one, it has arrived at this fate, the debt is paid by those who owed it. Perhaps nothing was ever so universally the act of a country as this. Government had no hand in it. Every man depreciated his own money by his own consent, for such was the effect, which the raising the nominal value of goods produced. But as by such reduction he sustained a loss equal to what he must have paid to sink it by taxation, therefore the line of justice is to

[1] It was, however, remarked by a contemporary writer, that "if the currency is sunk by taxation it is done in equal proportion, but if by depreciation the burden is unequal." That is, the "Tories," who distrusted the paper money, and possessed little of it, had an advantage over the patriots (Whigs) who had much.—*Editor*.

consider his loss by the depreciation as his tax for that time, and not to tax him when the war is over, to make that money good in any other person's hands, which became nothing in his own.

Again. The paper currency was issued for the express purpose of carrying on the war. It has performed that service, without any other material charge to the public, while it lasted. But to suppose, as some did, that, at the end of the war, it was to grow into gold or silver, or become equal thereto, was to suppose that we were to *get* two hundred millions of dollars by *going to war*, instead of *paying* the cost of carrying it on.

But if any thing in the situation of America, as to her currency or her circumstances, yet remains not understood, then let it be remembered, that this war is the public's war, —the country's war. It is *their* independence that is to be supported; *their* property that is to be secured; *their* country that is to be saved. Here, government, the army, and the people, are mutually and reciprocally one. In other wars, kings may lose their thrones, and their dominions; but here, the loss must fall on the majesty of the multitude, and the property they are contending to save. Every man being sensible of this, he goes to the field, or pays his portion of the charge, as the sovereign of his own possessions; and when he is conquered a monarch falls.

The remark, which the abbe in the conclusion of the passage has made, respecting America's contracting debts in the time of her prosperity, (by which he means, before the breaking out of hostilities,) serves to show, though he has not made the application, the very great commercial difference between a dependant and an independent country. In a state of dependance, and with a fettered commerce, though with all the advantages of peace, her trade could not balance itself, and she annually run into debt. But now, in a state of independence, though involved in war, she requires no credit: her stores are full of merchandize, and gold and silver are become the currency of the country. How these things have established themselves is difficult to account

for: but they are facts, and facts are more powerful than arguments.

As it is probable this letter will undergo a re-publication in Europe, the remarks here thrown together will serve to show the extreme folly of Britain in resting her hopes of success on the extinction of our paper currency. The expectation is at once so childish and forlorn, that it places her in the laughable condition of a famished lion watching for prey at a spider's web.

From this account of the currency, the abbe proceeds to state the condition of America in the winter of 1777, and the spring following; and closes his observations with mentioning the treaty of alliance, which was signed in France, and the propositions of the British ministry, which were rejected in America. But in the manner in which the abbe has arranged his facts, there is a very material error, that not only he, but other European historians have fallen into; none of them having assigned the true cause why the British proposals were rejected, and all of them have assigned a wrong one.

In the winter of 1778, and spring following, congress were assembled at York Town, in Pennsylvania, the British were in possession of Philadelphia, and general Washington with the army were encamped in huts at the Valley-Forge, twenty-five miles distant therefrom. To all, who can remember, it was a season of hardship, but not despair; and the abbe, speaking of this period and its inconveniences, says:

"A multitude of privations, added to so many other misfortunes, might make the Americans regret their former tranquillity, and incline them to an accommodation with England. In vain had the people been bound to the new government by the sacredness of oaths and the influence of religion. In vain had endeavours been used to convince them that it was impossible to treat safely with a country, in which one parliament might overturn what should have been established by another. In vain had they been threatened with the eternal resentment of an exasperated and vindictive enemy. It was possible that these distant troubles might not be balanced by the weight of present evils.

"So thought the British ministry, when they sent to the new world public agents, authorised to offer every thing except independence to these very Americans, from whom they had two years before exacted an unconditional submission. It is not improbable but, that by this plan of conciliation, a few months sooner, some effect might have been produced. But at the period, at which it was proposed by the court of London, it was rejected with disdain, because this measure appeared but as an argument of fear and weakness. The people were already reassured. The congress, the generals, the troops, the bold and skilful men, in each colony had possessed themselves of the authority; every thing had recovered its first spirit. *This was the effect of a treaty of friendship and commerce between the United States and the court of Versailles, signed the 6th of February*, 1778."

On this passage of the abbe's I cannot help remarking, that, to unite time with circumstance, is a material nicety in history; the want of which frequently throws it into endless confusion and mistake, occasions a total separation between causes and consequences and connects them with others they are not immediately, and sometimes not at all, related to.

The abbe, in saying that the offers of the British ministry "were rejected with disdain," is *right*, as to the *fact*, but *wrong* as to the *time;* and this error in the time, has occasioned him to be mistaken in the cause.

The signing the treaty of Paris the 6th of February, 1778, could have no effect on the mind or politics of America, until it was *known in America:* and therefore, when the abbe says, that the rejection of the British offers was in consequence of the alliance, he must mean, that it was in consequence of the alliance *being known* in America; which was not the case: and by this mistake he not only takes from her the reputation, which her unshaken fortitude in that trying situation deserves, but is likewise led very injuriously to suppose, that had she *not known* of the treaty, the offers would probably have been accepted; whereas she knew nothing of the treaty at the time of the rejection, and consequently did not reject them on that ground.

The propositions or offers above mentioned, were contained

in two bills brought into the British parliament by lord North, on the 17th of February, 1778. Those bills were hurried through both houses with unusual haste, and before they had gone through all the customary forms of parliament, copies of them were sent over to lord Howe and general Howe, then in Philadelphia, who were likewise commissioners. General Howe ordered them to be printed in Philadelphia, and sent copies of them by a flag to general Washington, to be forwarded to congress at York Town, where they arrived the 21st of April, 1778. Thus much for the arrival of the bills in America.

Congress, as is their usual mode, appointed a committee from their own body, to examine them and report thereon. The report was brought in the next day, (the twenty-second,) was read, and unanimously agreed to, entered on their journals, and published for the information of the country. Now this report must be the rejection to which the abbe alludes, because congress gave no other formal opinion on those bills and propositions: and on a subsequent application from the British commissioners, dated the 27th of May, and received at York Town [Pa.] the 6th of June, congress immediately referred them for an answer, to their printed resolves of the 22d of April. Thus much for the rejection of the offers.

On the 2d of May, that is, eleven days after the above rejection was made, the treaty between the United States and France arrived at Yorktown; and until this moment congress had not the least notice or idea, that such a measure was in any train of execution. But lest this declaration of mine should pass only for assertion, I shall support it by proof, for it is material to the character and principle of the revolution to show, that no condition of America, since the declaration of independence, however trying and severe, ever operated to produce the most distant idea of yielding it up either by force, distress, artifice or persuasion. And this proof is the more necessary, because it was the system of the British ministry at this time, as well as before and since, to hold out to the European powers that America was unfixed in her resolutions and policy; hoping by this artifice to lessen her

reputation in Europe, and weaken the confidence which those powers or any of them might be inclined to place in her.

At the time these matters were transacting, I was secretary in the foreign department of congress. All the *political* letters from the American commissioners rested in my hands, and all that were officially written went from my office; and so far from congress knowing any thing of the signing the treaty, at the time they rejected the British offers, they had not received a line of information from their commissioners at Paris, on any subject whatever, for upwards of a twelve-month. Probably the loss of the port of Philadelphia and the navigation of the Delaware, together with the danger of the seas, covered at this time with British cruisers, contributed to the disappointment.

One packet, it is true, arrived at Yorktown in January preceding, which was about three months before the arrival of the treaty; but, strange as it may appear, every letter had been taken out, before it was put on board the vessel which brought it from France, and blank white paper put in their stead.

Having thus stated the time when the proposals from the British commissioners were first received, and likewise the time when the treaty of alliance arrived, and shown that the rejection of the former was eleven days prior to the arrival of the latter, and without the least knowledge of such circumstance having taken place or being about to take place; the rejection, therefore, must, and ought to be attributed to the fixed, unvaried sentiments of America respecting the enemy she is at war with, and her determination to support her independence to the last public effort, and not to any new circumstance which had taken place in her favor, which at that time she did not and could not know of.

Besides, there is a vigor of determination and spirit of defiance in the language of the rejection, (which I here subjoin,) which derive their greatest glory by appearing before the treaty was known; for that, which is bravery in distress, becomes insult in prosperity: and the treaty placed America on such a strong foundation, that had she then

known it, the answer which she gave, would have appeared rather as an air of triumph, than as the glowing serenity of fortitude.

Upon the whole, the abbe appears to have entirely mistaken the matter; for instead of attributing the rejection of the propositions to *our knowledge* of the treaty of alliance; he should have attributed the origin of them in the British cabinet, to *their knowledge* of that event. And then the reason why they were hurried over to America in the state of bills, that is, before they were passed into acts, is easily accounted for, which is that they might have the chance of reaching America before any knowledge of the treaty should arrive, which they were lucky enough to do, and there met the fate they so richly merited. That these bills were brought into the British parliament after the treaty with France was signed, is proved from the dates: the treaty being on the 6th, and the bills on the 17th of February. And that the signing the treaty was known in parliament, when the bills were brought in, is likewise proved by a speech of Mr. Fox, on the said 17th of February, who, in reply to lord North, informed the house of the treaty being signed, and challenged the minister's knowledge of the same fact.*

* In congress, April 22d, 1788.

"The committee to whom was referred the general's letter of the 18th, containing a certain printed paper sent from Philadelphia, purporting to be the draught of a bill for declaring the *intentions* of the parliament of Great Britain, as to the *exercise* of what they are pleased to term their *right* of imposing taxes within these United States: and also the draught of a bill to enable the king of Great Britain to appoint commissioners, with powers to treat, consult, and agree upon the means of quieting certain disorders within the said states, beg leave to observe,

"That the said paper being industriously circulated by emissaries of the enemy, in a partial and secret manner, the same ought to be forthwith printed for the public information.

"The committee cannot ascertain whether the contents of the said paper have been framed in Philadelphia, or in Great Britain, much less whether the same are really and truly intended to be brought into the parliament of that kingdom, or whether the said parliament will confer thereon the usual solemnities of their laws. But are inclined to believe this will happen, for the following reasons:

"1st, Because their general hath made divers feeble efforts to set on foot some kind of treaty during the last winter, though, either from a mistaken idea

Though I am not surprised to see the abbe mistaken in matters of history, acted at such a distance from his sphere of immediate observation, yet I am more than surprised to find him wrong (or at least what appears so to me) in the

of his own dignity and importance, the want of information, or some other cause, he hath not made application to those who are invested with a proper authority.

"2d, Because they suppose that the fallacious idea of a cessation of hostilities will render these states remiss in their preparations for war.

"3d, Because believing the Americans wearied with war, they suppose we will accede to their terms for the sake of peace.

"4th, Because they suppose our negotiations may be subject to a like corrupt influence with their debates.

"5th, Because they expect from this step the same effects they did from what one of their ministers thought proper to call his *conciliatory motion*, *viz.*, that it will prevent foreign powers from giving aid to these states; that it will lead their own subjects to continue a little longer the present war: and that it will detach some weak men in America, from the cause of freedom and virtue.

"6th, Because their king, from his own showing, hath reason to apprehend that his fleets and armies, instead of being employed against the territories of these states, will be necessary for the defence of his own dominions. And,

"7th, Because the impracticability of subjugating this country being every day more and more manifest, it is their interest to extricate themselves from the war upon any terms.

"The committee beg leave further to observe, that upon a supposition the matters contained in the said paper will really go into the British statute books, they serve to show, in a clear point of view, the weakness and wickedness of the enemy.

"*Their weakness.*

"1st, Because they formerly declared, not only that they had a right to bind the inhabitants of these states in all cases whatsoever, but also that the said inhabitants should *absolutely* and *unconditionally* submit to the exercise of that right. And this submission they have endeavored to exact by the sword. Receding from this claim, therefore, under the present circumstances, shows their inability to enforce it.

"2d, Because their prince hath heretofore rejected the humblest petitions of the representatives of America, praying to be considered as subjects, and protected in the enjoyment of peace, liberty and safety: and hath waged a most cruel war against them, and employed the savages to butcher innocent women and children. But now the same prince pretends to treat with those very representatives, and grant to the *arms* of America what he refused to her *prayers*.

"3d, Because they have uniformly labored to conquer this continent, rejecting every idea of accommodation proposed to them, from a confidence in their

well enlightened field of philosophical reflection. Here the materials are his own; created by himself; and the error, therefore, is an act of the mind.

Hitherto my remarks have been confined to circumstance;

own strength. Wherefore it is evident, from the change in their mode of attack, that they have lost this confidence. And,

"4th, Because the constant language, spoken, not only by their ministers, but by the most public and authentic acts of the nation, hath been, that it is incompatible with their dignity to treat with the Americans while they have arms in their hands. Notwithstanding which, an offer is now about to be made for treaty.

"*The wickedness and insincerity* of the enemy appear from the following considerations:

"1st, Either the *bills* now to be passed contain a direct or indirect cession of a part of their former claims, or they do not. If they do, then it is acknowledged that they have sacrificed many brave men in an unjust quarrel. If they do not, then they are calculated to deceive America into terms, to which neither argument before the war, nor force since, could procure her assent.

"2d, The first of these *bills* appears, from the title, to be a declaration of the *intentions* of the British parliament concerning the exercise of the *right of imposing taxes* within these states. Wherefore, should these states treat under the said bill, they would *indirectly* acknowledge that right, to obtain which acknowledgment the present war hath been avowedly undertaken and prosecuted on the part of Great Britain.

"3d, Should such pretended right be so acquiesced in, then, of consequence the same right might be exercised whenever the British parliament should find themselves in a different *temper* and *disposition*; since it must depend upon those, and such like contingencies, how far men will act according to their former *intentions*.

"4th, The said first bill, in the body thereof, containeth no new matter, but is precisely the same with the motion before-mentioned, and liable to all the objections which lay against the said motion, excepting the following particular, viz., that *by the motion* actual taxation was to be suspended, so long as America should give as much as the said parliament might think proper: whereas, *by the proposed bill*, it is to be suspended, as long as future parliaments continue of the same mind with the present.

"5th, From the second bill it appears, that the British king may, if he pleases, appoint commissioners to *treat* and *agree* with those, whom they please, about a variety of things therein mentioned. But such treaties and agreements are to be of no validity without the concurrence of the said parliament, except so far as they relate to the *suspension* of hostilities, and of certain of their acts, the granting of pardons, and the appointing of governors to these sovereign, free and independent states. Wherefore, the said parliament have reserved to themselves, in *express words*, the power of setting aside any such treaty, and

the order in which they arose, and the events they produced. In these, my information being better than the abbe's, my task was easy. How I may succeed in controverting matters of sentiment and opinion, with one whom years, experience,

taking the advantage of any circumstances which may arise to subject this continent to their usurpations.

"6th, The said bill, by holding forth a tender of pardon, implies a criminality in our justifiable resistance, and consequently, to treat under it would be an implied acknowledgment, that the inhabitants of these states were what Britain has declared them to be, *Rebels*.

"7th, The inhabitants of these states being claimed by them as subjects, they may infer, from the nature of the negotiation now pretended to be set on foot, that the said inhabitants would of right be afterwards bound by such laws as they should make. Wherefore, any agreement entered into on such negotiation might at any future time be repealed. And,

"8th, Because the said bill purports, that the commissioners therein mentioned may treat with private individuals: a measure highly derogatory to the dignity of national character.

"From all which it appears evident to your committee, that the said bills are intended to operate upon the hopes and fears of the good people of these states, so as to create divisions among them, and a defection from the common cause, now by the blessing of divine providence drawing near to a favorable issue. That they are the sequel of that insidious plan, which from the days of the stamp act down to the present time, hath involved this country in contention and bloodshed. And that, as in other cases so in this, although circumstances may force them at times to recede from their unjustifiable claims, there can be no doubt but they will as heretofore, upon the first favorable occasion, again display that lust of domination, which hath rent in twain the mighty empire of Britain.

"Upon the whole matter, the committee beg leave to report it as their opinion, that as the Americans united in this arduous contest upon principles of common interest, for the defence of common rights and privileges, which union hath been cemented by common calamities and by mutual good offices and affection, so the great cause for which they contend, and in which all mankind are interested, must derive its success from the continuance of that union. Wherefore, any man, or body of men, who should presume to make any separate or partial convention or agreement with commissioners under the crown of Great Britain, or any of them, ought to be considered and treated as open and avowed enemies of the United States.

"And further your committee beg leave to report it as their opinion, that these United States cannot with propriety, hold any conference or treaty with *any* commissioners on the part of Great Britain, unless they shall, as a preliminary thereto, either withdraw their fleets and armies, or else, in positive and express terms, acknowledge the independence of the said states.

"And inasmuch as it appears to be the design of the enemies of these states

and long established reputation have placed in a superior line, I am less confident in; but as they fall within the scope of my observations it would be improper to pass them over.

From this part of the abbe's work to the latter end, I find several expressions, which appear to me to start, with cynical complexion, from the path of liberal thinking, or at least they are so involved as to lose many of the beauties which distinguish other parts of the performance.

The abbe having brought his work to the period when the

to lull them into a fatal security—to the end that they may act with becoming weight and importance, it is the opinion of your committee, that the several states be called upon to use the utmost strenuous exertions to have their respective quotas of continental troops in the field as soon as possible, and that all the militia of the said states be held in readiness, to act as occasion may require."

The following is the answer of congress to the second application of the commissioners:

"YORK-TOWN, June 6, 1778.

"SIR,

"I have had the honor of laying your letter of the 3d instant, with the acts of the British parliament which came inclosed, before congress: and I am instructed to acquaint you, sir, that they have already expressed their sentiments upon bills, not essentially different from those acts, in a publication of the 22d of April last.

"Be assured, sir, when the king of Great Britain shall be seriously disposed to put an end to the unprovoked and cruel war waged against these United States, congress will readily attend to such terms of peace, as may consist with the honour of independent nations, the interest of their constituents and the sacred regard they mean to pay to treaties. I have the honor to be, sir,

Your most obedient, and
most humble servant.
HENRY LAURENS,
President of Congress."[1]

His Excellency,
Sir Henry Clinton, K. B. Philadelphia.

—*Author.*

[1] These documents do not bear out, strictly, Paine's case. In the answer of Congress, April 22, willingness is expressed to treat if the fleets and armies are withdrawn; but in the answer of June 6 (after the treaty with France was known) Congress will attend only to such terms "as may consist with the honor of independent nations," and with their "treaties."—*Editor.*

treaty of alliance between France and the United States commenced, proceeds to make some remarks thereon.

"In short," says he, "philosophy, whose first sentiment is the desire to see all governments just and all people happy, in casting her eyes upon this alliance of a monarchy, with a people who are defending their liberty, *is curious to know its motive. She sees at once, too clearly, that the happiness of mankind has no part in it.*"

Whatever train of thinking or of temper the abbe might be in, when he penned this expression, matters not. They will neither qualify the sentiment, nor add to its defect. If right, it needs no apology; if wrong, it merits no excuse. It is sent into the world as an opinion of philosophy, and may be examined without regard to the author.

It seems to be a defect, connected with ingenuity, that it often employs itself more in matters of curiosity, than usefulness. Man must be the privy councillor of fate, or something is not right. He must know the springs, the whys and wherefores of everything, or he sits down unsatisfied. Whether this be a crime, or only a caprice of humanity, I am not inquiring into. I shall take the passage as I find it, and place my objections against it.

It is not so properly the *motives* which *produced* the alliance, as the *consequences* which are to be *produced from it*, that mark out the field of philosophical reflection. In the one we only penetrate into the barren cave of secrecy, where little can be known, and every thing may be misconceived; in the other, the mind is presented with a wide extended prospect of vegetative good, and sees a thousand blessings budding into existence.

But the expression, even within the compass of the abbe's meaning, sets out with an error, because it is made to declare that which no man has authority to declare. Who can say that the happiness of mankind made *no part of the motives* which produced the Alliance? To be able to declare this, a man must be possessed of the mind of all the parties concerned, and know that their motives were something else.

In proportion as the independence of America became contemplated and understood, the local advantages of it to the immediate actors, and the numerous benefits it promised mankind, appeared to be every day increasing; and we saw not a temporary good for the present race only, but a continued good to all posterity; these motives, therefore, added to those which preceded them, became the motives on the part of America, which led her to propose and agree to the treaty of alliance, as the best effectual method of extending and securing happiness; and therefore, with respect to us, the abbe is wrong.

France, on the other hand, was situated very differently. She was not acted upon by necessity to seek a friend, and therefore her motive in becoming one, has the strongest evidence of being good, and that which is so, must have some happiness for its object. With regard to herself, she saw a train of conveniences worthy her attention. By lessening the power of an enemy, whom at the same time she sought neither to destroy nor distress, she gained an advantage without doing an evil, and created to herself a new friend by associating with a country in misfortune. The springs of thought that lead to actions of this kind, however political they may be, are nevertheless naturally beneficent; for in all causes, good or bad, it is necessary there should be a fitness in the mind, to enable it to act in character with the object: therefore, as a bad cause cannot be prosecuted with a good motive, so neither can a good cause be long supported by a bad one; and as no man acts without a motive, therefore in the present instance, as they cannot be bad, they must be admitted to be good. But the abbe sets out upon such an extended scale, that he overlooks the degrees by which it is measured, and rejects the beginning of good, because the end comes not out at once.

It is true that bad motives may in some degree be brought to support a good cause or prosecute a good object; but it never continues long, which is not the case with France; for either the object will reform the mind, or the mind corrupt the object, or else not being able, either way, to get into

unison, they will separate in disgust: and this natural, though unperceived progress of association or contention between the mind and the object, is the secret cause of fidelity or defection. Every object a man pursues, is, for the time, a kind of mistress to his mind: if both are good or bad, the union is natural; but if they are in reverse, and neither can seduce nor yet reform the other, the opposition grows into dislike, and a separation follows.

When the cause of America first made its appearance on the stage of the universe, there were many, who, in the style of adventurers and fortune-hunters, were dangling in its train, and making their court to it with every profession of honour and attachment. They were loud in its praise and ostentatious in its service. Every place echoed with their ardour or their anger, and they seemed like men in love. But, alas! they were fortune-hunters. Their expectations were excited, but their minds were unimpressed; and finding it not to their purpose, nor themselves reformed by its influence, they ceased their suit, and in some instances deserted and betrayed it.

There were others, who at first beheld America with indifference, and unacquainted with her character were cautious of her company. They treated her as one who, under the fair name of liberty, might conceal the hideous figure of anarchy, or the gloomy monster of tyranny. They knew not what she was. If fair, she was fair indeed. But still she was suspected, and though born among us appeared to be a stranger.

Accident with some, and curiosity with others, brought on a distant acquaintance. They ventured to look at her. They felt an inclination to speak to her. One intimacy led to another, till the suspicion wore away, and a change of sentiment gradually stole upon the mind; and having no self-interest to serve, no passion of dishonour to gratify, they became enamoured of her innocence, and, unaltered by misfortune or uninfluenced by success, shared with fidelity in the varieties of her fate.

This declaration of the abbe's, respecting motives, has led

me unintentionally into a train of metaphysical reasoning; but there was no other avenue by which it could so properly be approached. To place presumption against presumption, assertion against assertion, is a mode of opposition that has no effect; and therefore the more eligible method was to show that the declaration does not correspond with the natural progress of the mind, and the influence it has upon our conduct. I shall now quit this part and proceed to what I have before stated, namely, that it is not so properly the motives which produced the alliance, as the consequences to be produced from it, that mark out the field of philosophical reflection.

It is an observation I have already made in some former publications, that the circle of civilization is yet incomplete. Mutual wants have formed the individuals of each country into a kind of national society, and here the progress of civilization has stopped. For it is easy to see, that nations with regard to each other (notwithstanding the ideal civil law, which every one explains as it suits him) are like individuals in a state of nature. They are regulated by no fixed principle, governed by no compulsive law, and each does independently what it pleases or what it can.

Were it possible we could have known the world when in a state of barbarism, we might have concluded that it never could be brought into the order we now see it. The untamed mind was then as hard, if not harder, to work upon in its individual state, than the national mind is in its present one. Yet we have seen the accomplishment of the one, why then should we doubt that of the other?

There is a greater fitness in mankind to extend and complete the civilization of nations with each other at this day, than there was to begin it with the unconnected individuals at first; in the same manner that it is somewhat easier to put together the materials of a machine after they are formed, than it was to form them from original matter. The present condition of the world, differing so exceedingly from what it formerly was, has given a new cast to the mind of man, more than what he appears to be sensible of. The

wants of the individual, which first produced the idea of society, are now augmented into the wants of the nation, and he is obliged to seek from another country what before he sought from the next person.

Letters, the tongue of the world, have in some measure brought all mankind acquainted, and by an extension of their uses are every day promoting some new friendship. Through them distant nations become capable of conversation, and losing by degrees the awkwardness of strangers, and the moroseness of suspicion, they learn to know and understand each other. Science, the partisan of no country, but the beneficent patroness of all, has liberally opened a temple where all may meet. Her influence on the mind, like the sun on the chilled earth, has long been preparing it for higher cultivation and further improvement. The philosopher of one country sees not an enemy in the philosopher of another: he takes his seat in the temple of science, and asks not who sits beside him.

This was not the condition of the barbarian world. Then the wants of men were few and the objects within his reach. While he could acquire these, he lived in a state of individual independence; the consequence of which was, there were as many nations as persons, each contending with the other, to secure something which he had, or to obtain something which he had not. The world had then no business to follow, no studies to exercise the mind. Their time was divided between sloth and fatigue. Hunting and war were their chief occupations; sleep and food their principal enjoyments.

Now it is otherwise. A change in the mode of life has made it necessary to be busy; and man finds a thousand things to do now which before he did not. Instead of placing his ideas of greatness in the rude achievements of the savage, he studies arts, sciences, agriculture and commerce, the refinements of the gentleman, the principles of society, and the knowledge of the philosopher.

There are many things which in themselves are neither morally good nor bad, but they are productive of conse-

quences, which are strongly marked with one or other of these characters. Thus commerce, though in itself a moral nullity, has had a considerable influence in tempering the human mind. It was the want of objects in the ancient world, which occasioned in them such a rude and perpetual turn for war. Their time hung on their hands without the means of employment. The indolence they lived in afforded leisure for mischief, and being all idle at once, and equal in their circumstances, they were easily provoked or induced to action.

But the introduction of commerce furnished the world with objects, which, in their extent, reach every man, and give him something to think about and something to do; by these his attention is mechanically drawn from the pursuits which a state of indolence and an unemployed mind occasioned, and he trades with the same countries, which in former ages, tempted by their productions, and too indolent to purchase them, he would have gone to war with.

Thus, as I have already observed, the condition of the world being materially changed by the influence of science and commerce, it is put into a fitness not only to admit of, but to desire, an extension of civilization. The principal and almost only remaining enemy, it now has to encounter, is *prejudice;* for it is evidently the interest of mankind to agree and make the best of life. The world has undergone its divisions of empire, the several boundaries of which are known and settled. The idea of conquering countries, like the Greeks and Romans, does not now exist; and experience has exploded the notion of going to war for the sake of profit. In short, the objects for war are exceedingly diminished, and there is now left scarcely any thing to quarrel about, but what arises from that demon of society, prejudice, and the consequent sullenness and untractableness of the temper.

There is something exceedingly curious in the constitution and operation of prejudice. It has the singular ability of accommodating itself to all the possible varieties of the human mind. Some passions and vices are but thinly scattered

among mankind, and find only here and there a fitness of reception. But prejudice, like the spider, makes every place its home. It has neither taste nor choice of situation, and all that it requires is room. Every where, except in fire or water, a spider will live. So, let the mind be as naked as the walls of an empty and forsaken tenement, gloomy as a dungeon, or ornamented with the richest abilities of thinking, let it be hot, cold, dark or light, lonely or inhabited, still prejudice, if undisturbed, will fill it with cobwebs, and live, like the spider, where there seems nothing to live on. If the one prepares her food by poisoning it to her palate and her use, the other does the same; and as several of our passions are strongly characterized by the animal world, prejudice may be denominated the spider of the mind.

Perhaps no two events ever united so intimately and forcibly to combat and expel prejudice, as the revolution of America and the alliance with France. Their effects are felt, and their influence already extends as well to the old world as the new. Our style and manner of thinking have undergone a revolution, more extraordinary than the political revolution of the country. We see with other eyes; we hear with other ears; and think with other thoughts, than those we formerly used. We can look back on our own prejudices, as if they had been the prejudices of other people. We now see and know they were prejudices and nothing else; and, relieved from their shackles, enjoy a freedom of mind, we felt not before. It was not all the argument, however powerful, nor all the reasoning, however eloquent, that could have produced this change, so necessary to the extension of the mind, and the cordiality of the world, without the two circumstances of the revolution and the alliance.

Had America dropped quietly from Britain, no material change in sentiment had taken place. The same notions, prejudices, and conceits would have governed in both countries, as governed them before, and, still the slaves of error and education, they would have travelled on in the beaten track of vulgar and habitual thinking. But brought about by the means it has been, both with regard to ourselves, to

France and England, every corner of the mind is swept of its cobwebs, poison and dust, and made fit for the reception of generous happiness.

Perhaps there never was an alliance on a broader basis, than that between America and France, and the progress of it is worth attending to. The countries had been enemies, not properly of themselves, but through the medium of England. They originally had no quarrel with each other, nor any cause for one, but what arose from the interest of England, and her arming America against France. At the same time, the Americans at a distance from, and unacquainted with, the world, and tutored in all the prejudices which governed those who governed them, conceived it their duty to act as they were taught. In doing this, they expended their substance to make conquests, not for themselves but for their masters, who in return treated them as slaves.

A long succession of insolent severity, and the separation finally occasioned by the commencement of hostilities at Lexington, on the 19th of April, 1775, naturally produced a new disposition of thinking. As the mind closed itself towards England, it opened itself towards the world, and our prejudices like our oppressions, underwent, though less observed, a mental examination; until we found the former as inconsistent with reason and benevolence, as the latter were repugnant to our civil and political rights.

While we were thus advancing by degrees into the wide field of extended humanity, the alliance with France was concluded. An alliance not formed for the mere purpose of a day, but on just and generous grounds, and with equal and mutual advantages; and the easy, affectionate manner in which the parties have since communicated has made it an alliance not of courts only, but of countries. There is now an union of mind as well as of interest; and our hearts as well as our prosperity call on us to support it.

The people of England not having experienced this change, had likewise no idea of it. They were hugging to their bosoms the same prejudices we were trampling beneath our feet; and they expected to keep a hold upon America, by that

narrowness of thinking which America disdained. What they were proud of, we despised; and this is a principal cause why all their negotiations, constructed on this ground, have failed. We are now really another people, and cannot again go back to ignorance and prejudice. The mind once enlightened cannot again become dark. There is no possibility, neither is there any term to express the supposition by, of the mind *un*knowing any thing it already knows; and therefore all attempts on the part of England, fitted to the former habit of America, and on the expectation of their applying now, will be like persuading a seeing man to become blind, and a sensible one to turn an idiot. The first of which is unnatural and the other impossible.

As to the remark which the abbe makes on the one country being a monarchy and the other a republic, it can have no essential meaning. Forms of government have nothing to do with treaties. The former are the internal police of the countries severally; the latter their external police jointly: and so long as each performs its part, we have no more right or business to know how the one or the other conducts its domestic affairs, than we have to inquire into the private concerns of a family.

But had the abbe reflected for a moment, he would have seen, that courts, or the governing powers of all countries, be their forms what they may, are relatively republics with each other. It is the first and true principle of alliance. Antiquity may have given precedence, and power will naturally create importance, but their equal right is never disputed. It may likewise be worthy of remarking, that a monarchical country can suffer nothing in its popular happiness by an alliance with a republican one; and republican governments have never been destroyed by their external connexions, but by some internal convulsion or contrivance. France has been in alliance with the republic of Switzerland for more than two hundred years, and still Switzerland retains her original form of government as entire as if she had been allied with a republic like herself; therefore this remark of the abbe should go for nothing. Besides it is best man-

kind should mix. There is ever something to learn, either of manners or principle; and it is by a free communication, without regard to domestic matters, that friendship is to be extended, and prejudice destroyed all over the world.

But notwithstanding the abbe's high professions in favor of liberty, he appears sometimes to forget himself, or that his theory is rather the child of his fancy than of his judgment: for in almost the same instant that he censures the alliance, as not originally or sufficiently calculated for the happiness of mankind, he, by a figure of implication, accuses France for having acted so generously and unreservedly in concluding it. "Why did they (says he, meaning the court of France) tie themselves down by an inconsiderate treaty to conditions with the congress, which they might themselves have held in dependance by ample and regular supplies."

When an author undertakes to treat of public happiness he ought to be certain that he does not mistake passion for right, nor imagination for principle. Principle, like truth, needs no contrivance. It will ever tell its own tale, and tell it the same way. But where this is not the case, every page must be watched, recollected, and compared like an invented story.

I am surprised at this passage of the abbe's. It means nothing or it means ill; and in any case it shows the great difference between speculative and practical knowledge. A treaty according to the abbe's language would have neither duration nor affection: it might have lasted to the end of the war, and then expired with it. But France, by acting in a style superior to the little politics of narrow thinking, has established a generous fame and won the love of a country she was before a stranger to. She had to treat with a people who thought as nature taught them; and, on her own part, she wisely saw there was no present advantage to be obtained by unequal terms, which could balance the more lasting ones that might flow from a kind and generous beginning.

From this part the abbe advances into the secret transac-

tions of the two cabinets of Versailles and Madrid respecting the independence of America; through which I mean not to follow him. It is a circumstance sufficiently striking without being commented on, that the former union of America with Britain produced a power which, in her hands, was becoming dangerous to the world: and there is no improbability in supposing, that had the latter known as much of the strength of the former, before she began the quarrel, as she has known since, that instead of attempting to reduce her to unconditional submission, she would have proposed to her the conquest of Mexico. But from the countries separately, Spain has nothing to apprehend, though from their union she had more to fear than any other power in Europe.

The part which I shall more particularly confine myself to, is that wherein the abbe takes an opportunity of complimenting the British ministry with high encomiums of admiration, on their rejecting the offered mediation of the court of Madrid, in 1779.

It must be remembered that before Spain joined France in the war, she undertook the office of a mediator, and made proposals to the British king and ministry so exceedingly favourable to their interest, that had they been accepted, would have become inconvenient, if not inadmissible, to America. These proposals were nevertheless rejected by the British cabinet; on which the abbe says,—

"It is in such a circumstance as this; it is in the time when noble pride elevates the soul superior to all terror; when nothing is seen more dreadful than the shame of receiving the law, and when there is no doubt or hesitation which to choose, between ruin and dishonour: it is then, that the greatness of a nation is displayed. I acknowledge, however, that men, accustomed to judge of things by the event, call great and perilous resolutions heroism or madness, according to the good or bad success with which they have been attended. If then, I should be asked, what is the name which shall in years to come be given to the firmness, which was in this moment exhibited by the English, I shall answer that I do not know. But that which it deserves I know. I know that the annals of the world hold out to us but

rarely, the august and majestic spectacle of a nation, which chooses rather to renounce its duration than its glory."

In this paragraph the conception is lofty and the expression elegant, but the colouring is too high for the original, and the likeness fails through an excess of graces. To fit the powers of thinking and the turn of language to the subject, so as to bring out a clear conclusion that shall hit the point in question and nothing else, is the true criterion of writing. But the greater part of the abbe's writings (if he will pardon me the remark) appear to me uncentral and burdened with variety. They represent a beautiful wilderness without paths; in which the eye is diverted by every thing without being particularly directed to any thing; and in which it is agreeable to be lost, and difficult to find the way out.

Before I offer any other remark on the spirit and composition of the above passage, I shall compare it with the circumstance it alludes to.

The circumstance then does not deserve the encomium. The rejection was not prompted by her fortitude but her vanity. She did not view it as a case of despair or even of extreme danger, and consequently the determination to renounce her duration rather than her glory, cannot apply to the condition of her mind. She had then high expectations of subjugating America, and had no other naval force against her than France; neither was she certain that rejecting the mediation of Spain would combine that power with France. New mediations might arise more favorable than those she had refused. But if they should not, and Spain should join, she still saw that it would only bring out her naval force against France and Spain, which was not wanted and could not be employed against America, and habits of thinking had taught her to believe herself superior to both.

But in any case to which the consequence might point, there was nothing to impress her with the idea of renouncing her duration. It is not the policy of Europe to suffer the

extinction of any power, but only to lop off or prevent its dangerous increase. She was likewise freed by situation from the internal and immediate horrors of invasion; was rolling in dissipation and looking for conquests; and though she suffered nothing but the expense of war, she still had a greedy eye to magnificent reimbursement.

But if the abbe is delighted with high and striking singularities of character, he might, in America, have found ample field for encomium. Here was a people, who could not know what part the world would take for, or against them; and who were venturing on an untried scheme, in opposition to a power, against which more formidable nations had failed. They had every thing to learn but the principles which supported them, and every thing to procure that was necessary for their defence. They have at times seen themselves as low as distress could make them, without showing the least decrease of fortitude; and been raised again by the most unexpected events, without discovering an unmanly discomposure of joy. To hesitate or to despair are conditions equally unknown in America. Her mind was prepared for every thing; because her original and final resolution of succeeding or perishing included all possible circumstances.

The rejection of the British propositions in the year 1778, circumstanced as America was at that time, is a far greater instance of unshaken fortitude than the refusal of the Spanish mediation by the court of London: and other historians, besides the abbe, struck with the vastness of her conduct therein, have, like himself, attributed it to a circumstance, which was then unknown, the alliance with France. Their error shows their idea of its greatness; because in order to account for it, they have sought a cause suited to its magnitude, without knowing that the cause existed in the principles of the country.*

* Extract from "A short Review of the present Reign," in England, p. 45, in the new Annual Register, for the year 1780.

"The commissioners, who, in consequence of lord North's conciliatory bills, went over to America, to propose terms of peace to the colonies, were wholly

But this passionate encomium of the abbe is deservedly subject to moral and philosophical objections. It is the effusion of wild thinking, and has a tendency to prevent that humanity of reflection which the criminal conduct of Britain enjoins on her as a duty.—It is a laudanum to courtly iniquity.—It keeps in intoxicated sleep the conscience of a nation; and more mischief is effected by wrapping up guilt in splendid excuse, than by directly patronizing it.

Britain is now the only country which holds the world in disturbance and war; and instead of paying compliments to the excess of her crimes, the abbe would have appeared much more in character, had he put to her, or to her monarch, this serious question—

Are there not miseries enough in the world, too difficult to be encountered and too pointed to be borne, without studying to enlarge the list and arming it with new destruction? Is life so very long that it is necessary, nay even a duty, to shake the sand and hasten out the period of duration? Is the path so elegantly smooth, so decked on every side and carpeted with joys, that wretchedness is wanted to enrich it as a soil? Go ask thine aching heart, when sorrow from a thousand causes wounds it, go ask thy sickened self, when every medicine fails, whether this be the case or not?

Quitting my remarks on this head, I proceed to another, in which the abbe has let loose a vein of ill-nature, and, what is still worse, of injustice.

After cavilling at the treaty, he goes on to characterize the several parties combined in the war.

"Is it possible," says the abbe, "that a strict union should long subsist amongst confederates, of characters so opposite as the hasty, light, disdainful Frenchman, the jealous, haughty, sly, slow,

unsuccessful. The concessions which formerly would have been received with the utmost gratitude, were rejected with disdain. Now was the time of American pride and haughtiness. It is probable, however, that it was not pride and haughtiness alone that dictated the resolutions of congress, but a distrust of the sincerity of the offers of Britain, a determination not to give up their independence, and, *above all, the engagements into which they had entered by their late treaty with France.*"—*Author.*

circumspect Spaniard, and the American, who is secretly snatching a look at the mother country, and would rejoice, were they compatible with his independence, at the disasters of his allies?"

To draw foolish portraits of each other, is a mode of attack and reprisal, which the greater part of mankind are fond of indulging. The serious philosopher should be above it, more especially in cases from which no good can arise, and mischief may, and where no received provocation can palliate the offence. The abbe might have invented a difference of character for every country in the world, and they in return might find others for him, till in the war of wit all real character is lost. The pleasantry of one nation or the gravity of another may, by a little pencilling, be distorted into whimsical features, and the painter becomes as much laughed at as the painting.

But why did not the abbe look a little deeper, and bring forth the excellencies of the several parties?—Why did he not dwell with pleasure on that greatness of character, that superiority of heart, which has marked the conduct of France in her conquests, and which has forced an acknowledgment even from Britain?

There is one line, at least, (and many others might be discovered,) in which the confederates unite; which is, that of a rival eminence in their treatment of their enemies. Spain in her conquest of Minorca and the Bahama islands, confirms this remark. America has been invariable in her lenity from the beginning of the war, notwithstanding the high provocations she has experienced. It is England only who has been insolent and cruel.

But why must America be charged with a crime undeserved by her conduct, more so by her principles, and which, if a fact, would be fatal to her honour. I mean the want of attachment to her allies, or rejoicing in their disasters. She, it is true, has been assiduous in showing to the world that she was not the aggressor towards England, and that the quarrel was not of her seeking, or, at that time, even of her wishing. But to draw inferences from her candour, and

even from her justification, to stab her character by, (and I see nothing else from which they can be supposed to be drawn,) is unkind and unjust.

Does her rejection of the British propositions in 1778, before she knew of any alliance with France, correspond with the abbe's description of her mind? Does a single instance of her conduct since that time justify it?—But there is a still better evidence to apply to, which is, that of all the mails which, at different times, have been waylaid on the road, in divers parts of America, and taken and carried into New-York, and from which the most secret and confidential private letters, as well as those from authority, have been published, not one of them, I repeat it, not a single one of them, gave countenance to such a charge.

This is not a country where men are under government restraint in speaking; and if there is any kind of restraint, it arises from a fear of popular resentment. Now if nothing in her private or public correspondence favors such a suggestion, and if the general disposition of the country is such as to make it unsafe for a man to show an appearance of joy at any disaster to her ally, on what grounds, I ask, can the accusation stand? What company the abbe may have kept in France, we cannot know; but this we know, that the account he gives does not apply to America.

Had the abbe been in America at the time the news arrived of the disaster of the fleet under count de Grasse, in the West Indies, he would have seen his vast mistake. Neither do I remember any instance, except the loss of Charleston, in which the public mind suffered more severe and pungent concern, or underwent more agitations of hope and apprehension as to the truth or falsehood of the report. Had the loss been all our own, it could not have had a deeper effect; yet it was not one of those cases which reached to the independence of America.

In the geographical account which the abbe gives of the thirteen states, he is so exceedingly erroneous, that to attempt a particular refutation, would exceed the limits I have prescribed to myself. And as it is a matter neither political,

historical, or sentimental, and which can always be contradicted by the extent and natural circumstances of the country, I shall pass it over; with this additional remark, that I never yet saw an European description of America that was true, neither can any person gain a just idea of it, but by coming to it.

Though I have already extended this letter beyond what I at first proposed, I am, nevertheless, obliged to omit many observations, I originally designed to have made. I wish there had been no occasion for making any. But the wrong ideas which the abbe's work had a tendency to excite, and the prejudicial impressions they might make, must be an apology for my remarks, and the freedom with which they are made.

I observe the abbe has made a sort of epitome of a considerable part of the pamphlet "Common Sense," and introduced it in that form into his publication. But there are other places where the abbe has borrowed freely from the said pamphlet without acknowledging it. The difference between society and government, with which the pamphlet opens, is taken from it, and in some expressions almost literally, into the abbe's work, as if originally his own; and through the whole of the abbe's remarks on this head, the idea in "Common Sense" is so closely copied and pursued, that the difference is only in words, and in the arrangement of the thoughts, and not in the thoughts themselves.*

* Common Sense.	Abbe Raynal.
"Some writers have so confounded society with government, as to leave little or no distinction between them; whereas they are not only different, but have different origins."	"Care must be taken not to confound together society with government. That they may be known distinctly, their origin should be considered."
"Society is produced by our wants and governments by our wickedness; the former promotes our happiness *positively*, by uniting our affections—the latter *negatively*, by restraining our vices."	"Society originates in the wants of men, government in their vices. Society tends always to good—government ought always to tend to the repression of evil."

In the following paragraphs there is less likeness in the language, but the ideas in the one are evidently copied from the other.

But as it is time that I should come to the end of my letter, I shall forbear all future observations on the abbe's work, and take a concise view of the state of public affairs, since the time in which that performance was published.

A mind habituated to actions of meanness and injustice, commits them without reflection, or with a very partial one; for on what other ground than this, can we account for the declaration of war against the Dutch? To gain an idea of the politics which actuated the British ministry to this measure, we must enter into the opinion which they, and the English in general, had formed of the temper of the Dutch nation; and from thence infer what their expectation of the consequences would be.

Could they have imagined that Holland would have seriously made a common cause with France, Spain and America,

"In order to gain a clear and just idea of the design and end of the government, let us suppose a small number of persons, meeting in some sequestered part of the earth, unconnected with the rest; they will then represent the peopling of any country or of the world. In this state of natural liberty, society will be their first thought. A thousand motives will excite them thereto. The strength of one man is so unequal to his wants, and his mind so unfitted for perpetual solitude, that he is soon obliged to seek assistance of another, who, in his turn, requires the same. Four or five united would be able to raise a tolerable dwelling in the midst of a wilderness; but *one* man might labor out the common period of life, without accomplishing anything; after he had felled his timber, he could not remove it, nor erect it after it was removed—hunger, in the mean time would urge him from his work, and every different want call him a different way. Disease, nay, even misfortune would be death—for al-

"Man, thrown, as it were, by chance upon the globe, surrounded by all the evils of nature, obliged continually to defend and protect his life against the storms and tempests of the air, against the inundations of water, against the fire of volcanoes, against the intemperance of frigid and torrid zones, against the sterility of the earth which refuses him aliment, or its baneful fecundity, which makes poison spring up beneath his feet—in short against the teeth and claws of savage beasts, who dispute with him his habitation and his prey, and, attacking his person, seem resolved to render themselves rulers of this globe, of which he thinks himself to be the master: man, in this state, alone and abandoned to himself, could do nothing for his preservation. It was necessary, therefore, that he should unite himself, and associate with his like, in order to bring together their strength and intelligence in common stock. It is by this union that he has triumphed over so many evils, that he has fashioned

the British ministry would never have dared to provoke them. It would have been a madness in politics to have done so, unless their views were to hasten on a period of such emphatic distress, as should justify the concessions which they saw they must one day or other make to the world, and for which they wanted an apology to themselves. —There is a temper in some men which seeks a pretence for submission. Like a ship disabled in action, and unfitted to continue it, it waits the approach of a still larger one to strike to, and feels relief at the opportunity. Whither this is greatness or littleness of mind, I am not inquiring into. I should suppose it to be the latter, because it proceeds from the want of knowing how to bear misfortune in its original state.

But the subsequent conduct of the British cabinet has shown that this was not their plan of politics, and consequently their motives must be sought for in another line.

though neither might be immediately mortal, yet either of them would disable him from living, and reduce him to a state in which he might rather be said to perish than to die. Thus necessity, like a gravitating power, would form our newly arrived emigrants into society, the reciprocal benefits of which would supersede and render the obligations of law and government unnecessary, while they remained perfectly just to each other. But as nothing but heaven is impregnable to vice, it unavoidably happens, that in proportion as they surmount the first difficulties of emigration, which bound them together in a common cause, they will begin to relax in their duty and attachment to each other, and this remissness will point out the necessity of establishing some form of government to supply the defect of moral virtue."

Author.

this globe to his use, restrained the rivers, subjugated the seas, insured his subsistence, conquered a part of the animals in obliging them to serve him, and driven others far from his empire, to the depths of deserts or of woods, where their number diminishes from age to age.—What a man alone would not have been able to effect, men have executed in concert: and altogether they preserve their work. Such is the origin, such the advantages, and the end of society.—Government owes its birth to the necessity of preventing and repressing the injuries which the associated individuals had to fear from one another. It is the sentinel who watches, in order that the common laborers be not disturbed."

"Common Sense," on its publication, was at once forwarded by the French agent in America to his government. Part of it (the attack on royalism was omitted) was translated in vol. iv. of "Affaires de l'Angleterre et de l'Amerique." —*Editor.*

The truth is, that the British had formed a very humble opinion of the Dutch nation. They looked on them as a people who would submit to any thing; that they might insult them as they liked, plunder them as they pleased, and still the Dutch dared not to be provoked.

If this be taken as the opinion of the British cabinet, the measure is easily accounted for; because it goes on the supposition, that when, by a declaration of hostilities, they had robbed the Dutch of some millions sterling, (and to rob them was popular,) they could make peace with them again whenever they pleased, and on almost any terms the British ministry should propose. And no sooner was the plundering committed, than the accommodation was set on foot and failed.

When once the mind loses the sense of its own dignity, it loses, likewise, the ability of judging of it in another. And the American war has thrown Britain into such a variety of absurd situations, that, arguing from herself, she sees not in what conduct national dignity consists in other countries. From Holland she expected duplicity and submission, and this mistake arose from her having acted, in a number of instances during the present war, the same character herself.

To be allied to, or connected with, Britain seems to be an unsafe and impolitic situation. Holland and America are instances of the reality of this remark. Make those countries the allies of France or Spain, and Britain will court them with civility, and treat them with respect; make them her own allies, and she will insult and plunder them. In the first case, she feels some apprehensions at offending them because they have support at hand; in the latter, those apprehensions do not exist. Such, however, has hitherto been her conduct.

Another measure which has taken place since the publication of the abbe's work, and likewise since the time of my beginning this letter, is the change in the British ministry. What line the new cabinet will pursue respecting America, is, at this time, unknown; neither is it very material, unless they are seriously disposed to a general and honourable peace.

Repeated experience has shown, not only the impracticability of conquering America, but the still higher impossibility of conquering her mind, or recalling her back to her former condition of thinking. Since the commencement of the war, which is now approaching to eight years, thousands and tens of thousands have advanced, and are daily advancing into the first state of manhood, who know nothing of Britain but as a barbarous enemy, and to whom the independence of America appears as much the natural and established government of the country, as that of England does to an Englishman. And, on the other hand, thousands of the aged, who had British ideas, have dropped, and are daily dropping, from the stage of business and life. The natural progress of generation and decay operates every hour to the disadvantage of Britain. Time and death, hard enemies to contend with, fight constantly against her interest; and the bills of mortality, in every part of America, are the thermometers of her decline. The children in the streets are from their cradle bred to consider her as their only foe. They hear of her cruelties; of their fathers, uncles, and kindred killed; they see the remains of burnt and destroyed houses, and the common tradition of the school they go to, tells them, *those things were done by the British.*

These are circumstances which the mere English state politician, who considers man only in a state of manhood, does not attend to. He gets entangled with parties coeval or equal with himself at home, and thinks not how fast the rising generation in America is growing beyond knowledge of them, or they of him. In a few years all personal remembrance will be lost, and who is king or minister in England, will be little known and scarcely inquired after.

The new British administration is composed of persons who have ever been against the war, and who have constantly reprobated all the violent measures of the former one. They considered the American war as destructive to themselves, and opposed it on that ground. But what are these things to America? She has nothing to do with English parties. The ins and the outs are nothing to her.

It is the whole country she is at war with, or must be at peace with.

Were every minister in England a Chatham, it would now weigh little or nothing in the scale of American politics. Death has preserved to the memory of this statesman, *that fame*, which he, by living, would have lost. His plans and opinions, towards the latter part of his life, would have been attended with as many evil consequences, and as much reprobated here as those of lord North; and considering him a wise man, they abound with inconsistencies amounting to absurdities.

It has apparently been the fault of many in the late minority to suppose that America would agree to certain terms with them, were they in place, which she would not even listen to, from the then administration. This idea can answer no other purpose than to prolong the war; and Britain may, at the expense of many more millions, learn the fatality of such mistakes. If the new ministry wisely avoid this hopeless policy, they will prove themselves better pilots and wiser men than they are conceived to be; for it is every day expected to see their bark strike upon some hidden rock and go to pieces.

But there is a line in which they may be great. A more brilliant opening needs not to present itself; and it is such an one as true magnanimity would improve, and humanity rejoice in.

A total reformation is wanted in England. She wants an expanded mind,—a heart which embraces the universe. Instead of shutting herself up in an island, and quarrelling with the world, she would derive more lasting happiness, and acquire more real riches, by generously mixing with it, and bravely saying, I am the enemy of none. It is not now a time for little contrivances or artful politics. The European world is too experienced to be imposed upon, and America too wise to be duped. It must be something new and masterly that can succeed. The idea of seducing America from her independence, or corrupting her from her alliance, is a thought too little for a great mind, and impossible for any

honest one, to attempt. Whenever politics are applied to debauch mankind from their integrity, and dissolve the virtue of human nature, they become detestable; and to be a statesman on this plan, is to be a commissioned villain. He who aims at it, leaves a vacancy in his character, which may be filled up with the worst of epithets.

If the disposition of England should be such, as not to agree to a general and honorable peace, and the war must, at all events, continue longer, I cannot help wishing that the alliances which America has or may enter into, may become the only objects of the war. She wants an opportunity of showing to the world that she holds her honour as dear and sacred as her independence, and that she will in no situation forsake those whom no negotiations could induce to forsake her. Peace, to every reflecting mind, is a desirable object; but *that peace* which is accompanied with a ruined character, becomes a crime to the seducer, and a curse upon the seduced.

But where is the impossibility or even the great difficulty of England's forming a friendship with France and Spain, and making it a national virtue to renounce for ever those prejudiced inveteracies it has been her custom to cherish; and which, while they serve to sink her with an increasing enormity of debt, by involving her in fruitless wars, become likewise the bane of her repose, and the destruction of her manners. We had once the fetters that she has now, but experience has shown us the mistake, and thinking justly has set us right.

The true idea of a great nation, is that which extends and promotes the principles of universal society; whose mind rises above the atmosphere of local thoughts, and considers mankind, of whatever nation or profession they may be, as the work of one Creator. The rage for conquest has had its fashion, and its day. Why may not the amiable virtues have the same? The Alexanders and Cæsars of antiquity have left behind them their monuments of destruction, and are remembered with hatred; whilst those more exalted characters, who first taught society and sci-

ence, are blest with the gratitude of every age and country. Of more use was *one* philosopher, though a heathen to the world, than all the heathen conquerors that ever existed.

Should the present revolution be distinguished by opening a new system of extended civilization, it will receive from heaven the highest evidence of approbation; and as this is a subject to which the abbe's powers are so eminently suited, I recommend it to his attention with the affection of a friend, and the ardour of a universal citizen.

Postscript.

Since closing the foregoing letter, some intimations respecting a general peace have made their way to America. On what authority or foundation they stand, or how near or remote such an event may be, are circumstances I am not inquiring into. But as the subject must sooner or later become a matter of serious attention, it may not be improper, even at this early period, candidly to investigate some points that are connected with it, or lead towards it.

The independence of America is at this moment as firmly established as that of any other country in a state of war. It is not length of time, but power that gives stability. Nations at war, know nothing of each other on the score of antiquity. It is their present and immediate strength, together with their connexions, that must support them. To which we may add, that a right which originated to-day, is as much a right, as if it had the sanction of a thousand years; and therefore the independence and present governments of America are in no more danger of being subverted, because they are modern, than that of England is secure, because it is ancient.

The politics of Britain, so far as respects America, were originally conceived in idiotism, and acted in madness. There is not a step which bears the smallest trace of rationality. In her management of the war, she has laboured to be

wretched, and studied to be hated; and in all her former propositions for accommodation, she has discovered a total ignorance of mankind, and of those natural and unalterable sensations by which they are so generally governed. How she may conduct herself in the present or future business of negotiating a peace, is yet to be proved.

He is a weak politician who does not understand human nature, and penetrate into the effect which measures of government will have upon the mind. All the miscarriages of Britain have arisen from this defect. The former ministry acted as if they supposed mankind to be *without a mind;* and the present ministry, as if America was *without a memory.* The one must have supposed we were incapable of feeling; and the other, that we could not remember injuries.

There is likewise another line in which politicians mistake, which is, that of not rightly calculating, or rather of misjudging, the consequences which any given circumstance will produce. Nothing is more frequent, as well in common as in political life, than to hear people complain, that such or such means produced an event directly contrary to their intentions. But the fault lies in their not judging rightly what the event would be; for the means produced only its proper and natural consequences.

It is very probable that, in a treaty of peace, Britain will contend for some post or other in North-America, perhaps Canada or Halifax, or both: and I infer this from the known deficiency of her politics, which have ever yet made use of means, whose natural event was against both her interest and her expectation. But the question with her ought to be, whether it is worth her while to hold them, and what will be the consequences.

Respecting Canada, one or other of the two following will take place, *viz.* if Canada should become populous, it will revolt; and if it does not become so, it will not be worth the expense of holding. And the same may be said of Halifax, and the country round it. But Canada *never will* be populous; neither is there any occasion for contrivances on one side or the other, for nature alone will do the whole.

Britain may put herself to great expenses in sending settlers to Canada; but the descendants of those settlers will be Americans, as others descendants have been before them. They will look round and see the neighboring states sovereign and free, respected abroad and trading at large with the world; and the natural love of liberty, the advantages of commerce, the blessings of independence, and of a happier climate, and a richer soil, will draw them southward; and the effect will be, that Britain will sustain the expense, and America reap the advantage.

One would think that the experience which Britain has had of America, would entirely sicken her of all thoughts of continental colonization, and any part she might retain will only become to her a field of jealousy and thorns, of debate and contention, for ever struggling for privileges, and meditating revolt. She may form new settlements, but they will be for us; they will become part of the United States of America; and that against all her contrivances to prevent it, or without any endeavours of ours to promote it. In the first place she cannot draw from them a revenue, until they are able to pay one, and when they are so they will be above subjection. Men soon become attached to the soil they live upon, and incorporated with the prosperity of the place: and it signifies but little what opinions they come over with, for time, interest, and new connexions will render them obsolete, and the next generation know nothing of them.

Were Britain truly wise, she would lay hold of the present opportunity to disentangle herself from all continental embarrassments in North-America, and that not only to avoid future broils and troubles, but to save expenses. To speak explicitly on the matter, I would not, were I an European power, have Canada, under the conditions that Britain must retain it, could it be given to me. It is one of those kind of dominions that is, and ever will be, a constant charge upon any foreign holder.

As to Halifax, it will become useless to England after the present war, and the loss of the United States. A harbour, when the dominion is gone, for the purpose of which only it

was wanted, can be attended only with expense. There are, I doubt not, thousands of people in England, who suppose, that these places are a profit to the nation, whereas they are directly the contrary, and instead of producing any revenue, a considerable part of the revenue of England is annually drawn off, to support the expense of holding them.

Gibraltar is another instance of national ill-policy. A post which in time of peace is not wanted, and in time of war is of no use, must at all times be useless. Instead of affording protection to a navy, it requires the aid of one to maintain it. To suppose that Gibraltar commands the Mediterranean, or the pass into it, or the trade of it, is to suppose a detected falsehood; because though Britain holds the post she has lost the other three, and every benefit she expected from it. And to say that all this happens because it is besieged by land and water, is to say nothing, for this will always be the case in time of war, while France and Spain keep up superior fleets, and Britain holds the place. So that, though, as an impenetrable, inaccessible rock, it may be held by the one, it is always in the power of the other to render it useless and excessively chargeable.

I should suppose that one of the principal objects of Spain in besieging it, is to show to Britain, that though she may not take it, she can command it, that is she can shut it up, and prevent its being used as a harbour, though not as a garrison. But the short way to reduce Gibraltar is to attack the British fleet; for Gibraltar is as dependant on a fleet for support, as a bird is on its wing for food, and when wounded there it starves.

There is another circumstance which the people of England have not only not attended to, but seem to be utterly ignorant of, and that is, the difference between permanent power and accidental power, considered in a national sense.

By permanent power, I mean, a natural, inherent and perpetual ability in a nation, which though always in being, may not be always in action, or not advantageously directed; and by accidental power, I mean, a fortunate or accidental disposition or exercise of national strength, in whole or in part.

There undoubtedly was a time when any one European nation, with only eight or ten ships of war, equal to the present ships of the line, could have carried terror to all others, who had not began to build a navy, however great their natural ability might be for that purpose: but this can be considered only as accidental, and not as a standard to compare permanent power by, and could last no longer than until those powers built as many or more ships than the former. After this a larger fleet was necessary, in order to be superior; and a still larger would again supersede it. And thus mankind have gone on building fleet upon fleet, as occasion or situation dictated. And this reduces it to an original question, which is: Which power can build and man the largest number of ships? The natural answer to which is, that power which has the largest revenue and the greatest number of inhabitants, provided its situation of coast affords sufficient conveniences.

France being a nation on the continent of Europe, and Britain an island in its neighborhood, each of them derived different ideas from their different situations. The inhabitants of Britain could carry on no foreign trade, nor stir from the spot they dwelt upon, without the assistance of shipping; but this was not the case with France. The idea therefore of a navy did not arise to France from the same original and immediate necessity which produced it to England. But the question is, that when both of them turn their attention, and employ their revenues the same way, which can be superior?

The annual revenue of France is nearly double that of England, and her number of inhabitants more than twice as many. Each of them has the same length of coast on the channel, besides which, France has several hundred miles extent on the bay of Biscay, and an opening on the Mediterranean: and every day proves that practice and exercise make sailors, as well as soldiers, in one country as well as another.

If, then, Britain can maintain a hundred ships of the line, France can as well support a hundred and fifty, because her

revenues and her population are as equal to the one, as those of England are to the other. And the only reason why she has not done it, is because she has not till very lately attended to it. But when she sees, as she now does, that a navy is the first engine of power, she can easily accomplish it.

England, very falsely, and ruinously for herself, infers, that because she had the advantage of France, while France had the smaller navy, that for that reason it is always to be so. Whereas it may be clearly seen, that the strength of France has never yet been tried on a navy, and that she is able to be as superior to England in the extent of a navy, as she is in the extent of her revenues and her population. And England may lament the day, when, by her insolence and injustice, she provoked in France a maritime disposition.

It is in the power of the combined fleets to conquer every island in the West-Indies, and reduce all the British navy in those places. For were France and Spain to send their whole naval force in Europe to those islands, it would not be in the power of Britain to follow them with an equal force. She would still be twenty or thirty ships inferior, were she to send every vessel she had, and in the meantime all the foreign trade of England would lay exposed to the Dutch.

It is a maxim which, I am persuaded, will ever hold good, and more especially in naval operations, that a great power ought never to move in detachments, if it can possibly be avoided; but to go with its whole force to some important object, the reduction of which shall have a decisive effect upon the war. Had the whole of the French and Spanish fleets in Europe come last spring to the West-Indies, every island had been their own, Rodney their prisoner, and his fleet their prize. From the United States the combined fleets can be supplied with provisions, without the necessity of drawing them from Europe, which is not the case with England.

Accident has thrown some advantages in the way of England, which, from the inferiority of her navy, she had not a right to expect. For though she had been obliged to fly before the combined fleets, yet Rodney has twice had the

fortune to fall in with detached squadrons, to which he was superior in numbers: the first off cape St. Vincent, where he had nearly two to one, and the other in the West-Indies, where he had a majority of six ships. Victories of this kind almost produce themselves. They are won without honour, and suffered without disgrace: and are ascribable to the chance of meeting, not to the superiority of fighting. For the same admiral, under whom they were obtained, was unable, in three former engagements, to make the least impression on a fleet consisting of an equal number of ships with his own, and compounded for the events by declining the actions.*

To conclude: if it may be said that Britain has numerous enemies, it likewise proves that she has given numerous offences. Insolence is sure to provoke hatred, whether in a nation or an individual. That want of manners in the British court may be seen even in its birth-days' and new-years' odes, which are calculated to infatuate the vulgar, and disgust the man of refinement: and her former overbearing rudeness, and insufferable injustice on the seas, have made every commercial nation her foe. Her fleets were employed as engines of prey, and acted on the surface of the deep the character which the shark does beneath it. On the other hand, the combined powers are taking a popular part, and will render their reputation immortal, by establishing the perfect freedom of the ocean, to which all countries have a right, and are interested in accomplishing. The sea is the world's highway; and he who arrogates a prerogative over it, transgresses the right, and justly bring on himself the chastisement of nations.[1]

Perhaps it might be of some service to the future tranquillity of mankind, were an article introduced into the next general peace, that no one nation should, in time of peace,

* See the accounts, either English or French, of three actions, in the West Indies, between count de Guichen and admiral Rodney, in 1780.—*Author.*

[1] Doctor Franklin made an effort to secure recognition of this principle of the freedom and immunity of commerce at sea, and gained the assent of the King of Prussia and of Vergennes. See "Diary of John Hall," in my "Life of Paine," vol. ii., p. 468.—*Editor.*

exceed a certain number of ships of war. Something of this kind seems necessary; for according to the present fashion, half the world will get upon the water, and there appears to be no end to the extent to which navies may be carried. Another reason is, that navies add nothing to the manners or morals of a people. The sequestered life which attends the service, prevents the opportunities of society, and is too apt to occasion a coarseness of ideas and of language, and that more in ships of war than in the commercial employ; because in the latter they mix more with the world, and are nearer related to it. I mention this remark as a general one: and not applied to any one country more than to another.

Britain has now had the trial of above seven years, with an expense of nearly an hundred million pounds sterling; and every month in which she delays to conclude a peace costs her another million sterling, over and above her ordinary expenses of government, which are a million more; so that her total *monthly* expense is two million pounds sterling, which is equal to the whole *yearly* expense of America, all charges included. Judge then who is best able to continue it.[1]

[1] The following correspondence took place at this time between Paine and Washington.

BORDENTOWN, Sept. 7, 1782.

SIR,

I have the honour of presenting you with fifty copies of my Letter to the Abbe Raynal, for the use of the army, and to repeat to you my acknowledgments for your friendship.

I fully believe we have seen our worst days over. The spirit of the war, on the part of the enemy, is certainly on the decline, full as much as we think for. I draw this opinion not only from the present promising appearance of things, and the difficulties we know the British cabinet is in; but I add to it the peculiar effect which certain periods of time have, more or less, upon all men.

The British have accustomed themselves to think of *seven years* in a manner different to other portions of time. They acquire this partly by habit, by reason, by religion, and by superstition. They serve seven years apprenticeship —they elect their parliament for seven years—they punish by seven years transportation, or the duplicate or triplicate of that term—they let their leases in the same manner, and they read that Jacob served seven years for one wife, and after that seven years for another; and this particular period of time, by a variety of concurrences, has obtained an influence in their minds.

They have now had seven years of war, and are no further on the Continent than when they began. The superstitious and populous part will therefore con-

She has likewise many atonements to make to an injured world, as well in one quarter as in another. And instead of pursuing that temper of arrogance, which serves only to sink her in the esteem, and entail on her the dislike of all nations,

clude that *it is not to be*, and the rational part of them will think they have tried an unsuccessful and expensive project long enough, and by these two joining issue in the same eventual opinion, the obstinate part among them will be beaten out; unless, consistent with their former sagacity, they should get over the matter by an act of parliament, "*to bind* TIME *in all cases whatsoever*," *or declare him a rebel.*

I observe the affair of Captain Asgill seems to die away:—very probably it has been protracted on the part of Clinton and Carleton, to gain time, to state the case to the British ministry, where following close on that of Colonel Haynes, it will create new embarrassments to them.—For my own part, I am fully persuaded that a suspension of his fate, still holding it *in terrorem*, will operate on a greater quantity of their passions and vices, and restrain them more than his execution would do.—However, the change of measures which seems now to be taking place, gives somewhat of a new cast to former designs; and if the case, without the execution, can be so managed as to answer all the purposes of the latter, it will look much better hereafter, when the sensations that now provoke, and the circumstances that would justify his exit, shall be forgotten.

I am your Excellency's obliged and obedient humble servant,

THOMAS PAINE.

His Excellency General WASHINGTON.

HEAD QUARTERS, VERPLANCK'S POINT,
Sept. 18, 1782.

SIR,

I have the pleasure to acknowledge your favour of the 7th inst., informing me of your proposal to present me with fifty copies of your last publication, for the amusement of the army.

For this intention you have my sincere thanks, not only on my own account, but for the pleasure, I doubt not, the gentlemen of the army will receive from the perusal of your pamphlets.

Your observations on the *period of seven years*, as it applies itself to, and affects British minds, are ingenious, and I wish it may not fail of its effects in the present instance. The measures, and the policy of the enemy, are at present in great perplexity and embarrassment—but I have my fears, whether their necessities (which are the only operative motive with them) are yet arrived to that point, which must drive them unavoidably into what they will esteem disagreeable and dishonourable terms of peace—such, for instance, as an absolute, unequivocal admission of American Independence, upon the terms on which she can alone accept it.

For this reason, added to the obstinacy of the king—and the probable consonant principles of some of his principal ministers, I have not so full a confi-

she would do well to reform her manners, retrench her expenses, live peaceably with her neighbours, and think of war no more.

PHILADELPHIA, August 21, 1782.

dence in the success of the present negociation for peace as some gentlemen entertain.

Should events prove my jealousies to be ill founded, I shall make myself happy under the mistake—consoling myself with the idea of having erred on the safest side, and enjoying with as much satisfaction as any of my countrymen, the pleasing issue of our severe contest.

The case of Captain Asgill has indeed been spun out to a great length—but, with you, I hope that its termination will not be unfavourable to this country.[1]

I am, sir, with great esteem and regard, Your most obedient servant,

G. WASHINGTON.

THOMAS PAINE, ESQ.

[1] Concerning Captain Asgill see *ante*, the "Supernumerary Crisis," vol. i., p. 355 and footnote to same, p. 359.—*Editor.*

VI.

DISSERTATIONS

ON GOVERNMENT; THE AFFAIRS OF THE BANK; AND PAPER MONEY.

PREFACE.

I HERE present the public with a new performance. Some parts of it are more particularly adapted to the state of Pennsylvania, on the present state of its affairs: but there are others which are on a larger scale. The time bestowed on this work has not been long, the whole of it being written and printed during the short recess of the assembly.[1]

As to parties, merely considered as such, I am attached to no particular one. There are such things as right and wrong in the world, and so far as these are parties against each other, the signature of *Common Sense* is properly employed.

THOMAS PAINE.

PHILADELPHIA, Feb. 18, 1786.

[1] That is, between December 22, 1785, and February 18, 1786. Professor W. G. Sumner, in his work on Robert Morris, says that Paine was "hired" by Morris for this work; but after re-examining his papers, writes me that his statement goes beyond any evidence in his possession. The pamphlet was disinterested and courageous; it cost Paine valued friendships. See my "Life of Paine," ii., 466.—*Editor*.

DISSERTATIONS ON GOVERNMENT, ETC.

EVERY government, let its form be what it may, contains within itself a principle common to all, which is, that of a sovereign power, or a power over which there is no control, and which controls all others: and as it is impossible to construct a form of government in which this power does not exist, so there must of necessity be a place, if it may be so called, for it to exist in.

In despotic monarchies this power is lodged in a single person, or sovereign. His will is law; which he declares, alters or revokes as he pleases, without being accountable to any power for so doing. Therefore, the only modes of redress, in countries so governed, are by petition or insurrection. And this is the reason we so frequently hear of insurrections in despotic governments; for as there are but two modes of redress, this is one of them.

Perhaps it may be said that as the united ressistance of the people is able, by force, to control the will of the sovereign, that therefore, the controlling power lodges in them; but it must be understood that I am speaking of such powers only as are constituent parts of the government, not of those powers which are externally applied to resist and overturn it.

In republics, such as those established in America, the sovereign power, or the power over which there is no control, and which controls all others, remains where nature placed it—in the people; for the people in America are the fountain of power. It remains there as a matter of right, recognized in the constitutions of the country, and the exercise of it is constitutional and legal. This sovereignty is exercised in electing and deputing a certain number of persons to represent and act for the whole, and who, if they do not act right,

may be displaced by the same power that placed them there, and others elected and deputed in their stead, and the wrong measures of former representatives corrected and brought right by this means. Therefore the republican form and principle leaves no room for insurrection, because it provides and establishes a rightful means in its stead.

In countries under a despotic form of government, the exercise of this power is an assumption of sovereignty; a wresting it from the person in whose hand their form of government has placed it, and the exercise of it is there styled rebellion. Therefore the despotic form of government knows no intermediate space between being slaves and being rebels.

I shall in this place offer an observation which, though not immediately connected with my subject, is very naturally deduced from it, which is that the nature, if I may so call it, of a government over any people, may be ascertained from the modes which the people pursue to obtain redress of grievances; for like causes will produce like effects. And therefore the government which Britain attempted to erect over America could be no other than a despotism, because it left to the Americans no other modes of redress than those which are left to people under despotic governments, petition and resistance: and the Americans, without ever attending to a comparison on the case, went into the same steps which such people go into, because no other could be pursued: and this similarity of effects leads up to, and ascertains the similarity of the causes or governments which produced them.

But to return. The repository where the sovereign power is placed is the first criterion of distinction between a country under a despotic form of government and a free country. In a country under a despotic government, the sovereign is the only free man in it. In a republic, the people, retaining the sovereignty themselves, naturally and necessarily retain their freedom with it: for wherever the sovereignty is, there must the freedom be.

As the repository where the sovereign power is lodged is the first criterion of distinction, so the second is the principles on which it is administered.

A despotic government knows no principle but *will*.—Whatever the sovereign wills to do, the government admits him the inherent right, and the uncontrolled power of doing. He is restrained by no fixed rule of right and wrong, for he makes the right and wrong himself, and as he pleases. If he happens (for a miracle may happen) to be a man of consummate wisdom, justice and moderation, of a mild affectionate disposition, disposed to business, and understanding and promoting the general good, all the beneficial purposes of government will be answered under his administration, and the people so governed, may, while this is the case, be prosperous and easy. But as there can be no security that this disposition will last, and this administration continue, and still less security that his successor shall have the same qualities and pursue the same measures; therefore no people exercising their reason, and understanding their rights, would, of their own choice, invest any one man with such a power.

Neither is it consistent to suppose the knowledge of any one man competent to the exercise of such a power. A sovereign of this sort, is brought up in such a distant line of life; lives so remote from the people, and from a knowledge of everything which relates to their local situations and interests, that he can know nothing from experience and observation, and all which he does know he must be told. Sovereign power without sovereign knowledge, that is, a full knowledge of all the matters over which that power is to be exercised, is a something which contradicts itself.

There is a species of sovereign power in a single person, which is very proper when applied to a commander-in-chief over an army, so far as relates to the military government of an army, and the condition and purpose of an army constitute the reason why it is so. In an army every man is of the same profession, that is, he is a soldier, and the commander-in-chief is a soldier too: therefore the knowledge necessary to the exercise of the power is within himself. By understanding what a soldier is, he comprehends the local situation, interest and duty of every man within what may

be called the dominion of his command; and, therefore, the condition and circumstances of an army make a fitness for the exercise of the power.

The purpose, likewise, or object of an army, is another reason: for this power in a commander-in-chief, though exercised over the army, is not exercised against it; but is exercised through or over the army against the enemy. Therefore the enemy, and not the people, is the object it is directed to. Neither is it exercised over an army for the purpose of raising a revenue from it, but to promote its combined interest, condense its powers, and give it capacity for action.

But all these reasons cease when sovereign power is transferred from the commander of an army to the commander of a nation, and entirely loses its fitness when applied to govern subjects following occupations, as it governs soldiers following arms. A nation is quite another element, and every thing in it differs not only from each other, but all of them differ from those of an army. A nation is composed of distinct, unconnected individuals, following various trades, employments and pursuits: continually meeting, crossing, uniting, opposing and separating from each other, as accident, interest and circumstance shall direct. An army has but one occupation and but one interest.

Another very material matter in which an army and a nation differ, is that of temper. An army may be said to have but one temper; for however the *natural* temper of the persons composing the army may differ from each other, there is a second temper takes place of the first: a temper formed by discipline, mutuality of habits, union of objects and pursuits, and the style of military manners: but this can never be the case among all the individuals of a nation. Therefore the fitness, arising from those circumstances, which disposes an army to the command of a single person, and the fitness of a single person for that command, is not to be found either in one or the other, when we come to consider them as a sovereign and a nation.

Having already shown what a despotic government is, and

how it is administered, I now come to show what the administration of a republic is.

The administration of a republic is supposed to be directed by certain fundamental principles of right and justice, from which there cannot, because there ought not to be any deviation; and whenever any deviation appears, there is a kind of stepping out of the republican principle, and an approach towards the despotic one. This administration is executed by a select number of persons, periodically chosen by the people, who act as representatives and in behalf of the whole, and who are supposed to enact the same laws, and pursue the same line of administration, as the people would do were they all assembled together.

The *public good* is to be their object. It is therefore necessary to understand what public good is.

Public good is not a term opposed to the good of individuals; on the contrary, it is the good of every individual collected. It is the good of all, because it is the good of every one: for as the public body is every individual collected, so the public good is the collected good of those individuals.

The foundation-principle of public good is justice, and wherever justice is impartially administered the public good is promoted; for as it is to the good of every man that no injustice be done to him, so likewise it is to his good that the principle which secures him should not be violated in the person of another, because such a violation weakens *his* security, and leaves to chance what ought to be to him a rock to stand on.

But in order to understand more minutely, how the public good is to be promoted, and the manner in which the representatives are to act to promote it, we must have recourse to the original or first principles, on which the people formed themselves into a republic.

When a people agree to form themselves into a republic (for the word *republic* means the *public good*, or the good of the whole, in contradistinction to the despotic form, which makes the good of the sovereign, or of one man, the only

object of the government), when I say, they agree to do this, it is to be understood, that they mutually resolve and pledge themselves to each other, rich and poor alike, to support and maintain this rule of equal justice among them. They therefore renounce not only the despotic form, but the despotic principle, as well of governing as of being governed by mere will and power, and substitute in its place a government of justice.

By this mutual compact, the citizens of a republic put it out of their power, that is, they renounce, as detestable, the power of exercising, at any future time, any species of despotism over each other, or doing a thing not right in itself, because a majority of them may have strength of numbers sufficient to accomplish it.

In this pledge and compact * lies the foundation of the republic: and the security to the rich and the consolation to

* This pledge and compact is contained in the declaration of rights prefixed to the constitution [of Pennsylvania], and is as follows:

I. That all men are born equally free and independent, and have certain natural, inherent and unalienable rights, amongst which are, the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety.

II. That all men have a natural and unalienable right to worship almighty God, according to the dictates of their own consciences and understanding: and that no man ought or of right can be compelled to attend any religious worship, or erect or support any place of worship, or maintain any ministry, contrary to, or against, his own free will and consent: nor can any man, who acknowledges the being of a God, be justly deprived or abridged of any civil right as a citizen, on account of his religious sentiments or peculiar mode of religious worship: and that no authority can or ought to be vested in, or assumed by, any power whatever, that shall in any case interfere with, or in any manner control, the right of conscience in the free exercise of religious worship.

III. That the people of this state have the sole, exclusive and inherent right of governing and regulating the internal police of the same.

IV. That all power being originally inherent in, and consequently derived from, the people; therefore, all officers of government, whether legislative or executive, are their trustees and servants, and at all times accountable to them.

V. That government is, or ought to be, instituted for the common benefit, protection and security of the people, nation or community; and not for the particular emolument or advantage of any single man, family, or set of men, who are a part only of that community: and that the community hath an indubitable, unalienable and indefeasible right to reform, alter or abolish govern-

the poor is, that what each man has is his own; that no despotic sovereign can take it from him, and that the common cementing principle which holds all the parts of a republic together, secures him likewise from the despotism of numbers: for despotism may be more effectually acted by many over a few, than by one man over all.

Therefore, in order to know how far the power of an assembly, or a house of representatives can act in administering the affairs of a republic, we must examine how far the power of the people extends under the original compact they have made with each other; for the power of the representatives is in many cases less, but never can be greater than that of the people represented; and whatever the people in their mutual original compact have renounced the power of doing

ment in such manner as shall be by that community judged most conducive to the public weal.

VI. That those who are employed in the legislative and executive business of the state may be restrained from oppression, the people have a right, at such periods as they may think proper, to reduce their public officers to a private station, and supply the vacancies by certain and regular elections.

VII. That all elections ought to be free; and that all free men having a sufficient evident common interest with, and attachment to the community, have a right to elect officers, or to be elected into office.

VIII. That every member of society hath a right to be protected in the enjoyment of life, liberty and property, and therefore is bound to contribute his proportion towards the expense of that protection, and yield his personal service when necessary, or an equivalent thereto; but no part of a man's property can be justly taken from him, or applied to public uses, without his own consent, or that of his legal representatives: nor can any man who is conscientiously scrupulous of bearing arms, be justly compelled thereto, if he will pay such equivalent: nor are the people bound by any laws, but such as they have in like manner assented to, for their common good.

IX. That in all prosecutions for criminal offences, a man hath a right to be heard by himself and his counsel, to demand the cause and nature of his accusation, to be confronted with the witnesses, to call for evidence in his favour, and a speedy public trial, by an impartial jury of the country, without the unanimous consent of which jury he cannot be found guilty: nor can he be compelled to give evidence against himself; nor can any man be justly deprived of his liberty, except by the laws of the land, or the judgment of his peers.

X. That the people have a right to hold themselves, their houses, papers, and possessions free from search or seizure; and therefore warrants without oaths or affirmations, first made, affording a sufficient foundation for them,

towards, or acting over each other, the representatives cannot assume the power to do, because, as I have already said, the power of the representatives cannot be greater than that of the people they represent.

In this place it naturally presents itself that the people in their original compact of equal justice or first principles of a republic, renounced, as despotic, detestable and unjust, the assuming a right of breaking and violating their engagements, contracts and compacts with, or defrauding, imposing or tyrannizing over each other, and therefore the representatives cannot make an act to do it for them, and any such kind of act would be an attempt to depose not the personal sovereign, but the sovereign principle of the republic, and to introduce despotism in its stead.

and whereby any officer or messenger may be commanded or required to search suspected places, or to seize any person or persons, his or their property, not particularly described, are contrary to that right, and ought not to be granted.

XI. That in controversies respecting property, and in suits between man and man, the parties have a right to trial by jury, which ought to be held sacred.

XII. That the people have a right to freedom of speech, and of writing and publishing their sentiments: therefore the freedom of the press ought not to be restrained.

XIII. That the people have a right to bear arms for the defence of themselves and the state—and as standing armies, in the time of peace, are dangerous to liberty, they ought not to be kept up—and that the military should be kept under a strict subordination to, and governed by, the civil power.

XIV. That a frequent recurrence to fundamental principles, and a firm adherence to justice, moderation, temperance, industry and frugality are absolutely necessary to preserve the blessings of liberty and keep a government free—the people ought therefore to pay particular attention to these points in the choice of officers and representatives, and have a right to exact a due and constant regard to them, from their legislators and magistrates, in the making and executing such laws as are necessary for the good government of the state.

XV. That all men have a natural inherent right to emigrate from one state to another that will receive them, or to form a new state in vacant countries, or in such countries as they can purchase, whenever they think that thereby they may promote their own happiness.

XVI. That the people have a right to assemble together, to consult for their common good, to instruct their representatives, and to apply to the legislature for redress of grievances, by address, petition, or remonstrance.—*Author.*

It may in this place be proper to distinguish between that species of sovereignty which is claimed and exercised by despotic monarchs, and that sovereignty which the citizens of a republic inherit and retain. The sovereignty of a despotic monarch assumes the power of making wrong right, or right wrong, as he pleases or as it suits him. The sovereignty in a republic is exercised to keep right and wrong in their proper and distinct places, and never suffer the one to usurp the place of the other. A republic, properly understood, is a sovereignty of justice, in contradistinction to a sovereignty of will.

Our experience in republicanism is yet so slender, that it is much to be doubted, whether all our public laws and acts are consistent with, or can be justified on, the principles of a republican government.

We have been so much habited to act in committees at the commencement of the dispute, and during the interregnum of government, and in many cases since, and to adopt expedients warranted by necessity, and to permit to ourselves a discretionary use of power, suited to the spur and exigency of the moment, that a man transferred from a committee to a seat in the legislature, imperceptibly takes with him the ideas and habits he has been accustomed to, and continues to think like a committee-man instead of a legislator, and to govern by the spirit rather than by the rule of the constitution and the principles of the republic.

Having already stated that the power of the representatives can never exceed the power of the people whom they represent, I now proceed to examine more particularly, what the power of the representatives is.

It is, in the first place, the power of acting as legislators in making laws—and in the second place, the power of acting in certain cases, as agents or negotiators for the commonwealth, for such purposes as the circumstances of the commonwealth require.

A very strange confusion of ideas, dangerous to the credit, stability, and the good and honor of the commonwealth, has arisen, by confounding those two distinct powers and

things together, and blending every act of the assembly, of whatever kind it may be, under one general name, of *Laws of the Commonwealth*, and thereby creating an opinion (which is truly of the despotic kind) that every succeeding assembly has an equal power over every transaction, as well as law, done by a former assembly.

All laws are acts, but all acts are not laws. Many of the acts of the assembly are acts of agency or negociation, that is they are acts of contract and agreement, on the part of the state, with certain persons therein mentioned, and for certain purposes therein recited. An act of this kind, after it has passed the house, is of the nature of a deed or contract, signed, sealed and delivered; and subject to the same general laws and principles of justice as all other deeds and contracts are: for in a transaction of this kind, the state stands as an individual, and can be known in no other character in a court of justice.

By "*laws*," as distinct from the agency transactions, or matters of negociation, are to be comprehended all those public acts of the assembly or commonwealth, which have a universal operation, or apply themselves to every individual of the commonwealth. Of this kind are the laws for the distribution and administration of justice, for the preservation of the peace, for the security of property, for raising the necessary revenue by just proportions, &c.

Acts of this kind are properly *laws*, and they may be altered, amended and repealed, or others substituted in their places, as experience shall direct, for the better effecting the purpose for which they were intended: and the right and power of the assembly to do this is derived from the right and power which the people, were they all assembled together, instead of being represented, would have to do the same thing: because, in acts or laws of this kind, there is no other party than the public. The law, or the alteration, or the repeal, is for themselves;—and whatever the effects may be, it falls on themselves;—if for the better, they have the benefit of it—if for the worse, they suffer the inconvenience. No violence to any one is here offered—no breach of faith is

here committed. It is therefore one of those rights and powers which is within the sense, meaning and limits of the original compact of justice which they formed with each other as the foundation-principle of the republic, and being one of those rights and powers, it devolves on their representatives by delegation.

As it is not my intention (neither is it within the limits assigned to this work) to define every species of what may be called *laws* (but rather to distinguish that part in which the representatives act as agents or negotiators for the state from the legislative part,) I shall pass on to distinguish and describe those acts of the assembly which are acts of agency or negotiation, and to show that as they are different in their nature, construction and operation, from legislative acts, so likewise the power and authority of the assembly over them, after they are passed, is different.

It must occur to every person on the first reflection, that the affairs and circumstances of a commonwealth require other business to be done besides that of making laws, and, consequently, that the different kinds of business cannot all be classed under one name, or be subject to one and the same rule of treatment.—But to proceed—

By agency transactions, or matters of negociation, done by the assembly, are to be comprehended all that kind of public business, which the assembly, as representatives of the republic, transact in its behalf, with a certain person or persons, or part or parts of the republic, for purposes mentioned in the act, and which the assembly confirm and ratify on the part of the commonwealth, by affixing to it the seal of the state.

An act of this kind, differs from a law of the before-mentioned kind; because here are two parties and there but one, and the parties are bound to perform different and distinct parts: whereas, in the before-mentioned law, every man's part was the same.

These acts, therefore, though numbered among the laws, are evidently distinct therefrom, and are not of the legislative kind. The former are laws for the government of the

commonwealth; these are transactions of business, such as, selling and conveying an estate belonging to the public, or buying one; acts for borrowing money, and fixing with the lender the terms and modes of payment; acts of agreement and contract, with a certain person or persons, for certain purposes: and, in short, every act in which two parties, the state being one, are particularly mentioned or described, and in which the form and nature of a bargain or contract is comprehended.—These, if for custom and uniformity sake we call them by the name of *laws*, are not laws for the government of the commonwealth, but for the government of the contracting parties, as all deeds and contracts are; and are not, properly speaking, acts of the assembly, but joint acts, or acts of the assembly in behalf of the commonwealth on one part, and certain persons therein mentioned on the other part.

Acts of this kind are distinguishable into two classes:—

1st, Those wherein the matters inserted in the act have already been settled and adjusted between the state on one part, and the persons therein mentioned on the other part. In this case the act is the completion and ratification of the contract or matters therein recited. It is in fact a deed signed, sealed and delivered.

2d, Those acts wherein the matters have not been already agreed upon, and wherein the act only holds forth certain propositions and terms to be accepted of and acceded to.

I shall give an instance of each of those acts. First, the state wants the loan of a sum of money—certain persons make an offer to government to lend that sum, and send in their proposals: the government accept these proposals, and all the matters of the loan and the payment are agreed on; and an act is passed according to the usual form of passing acts, ratifying and confirming this agreement. This act is final.

In the second case,—the state, as in the preceding one, wants a loan of money—the assembly passes an act holding forth the terms on which it will borrow and pay: this act has no force until the propositions and terms are accepted of

and acceded to by some person or persons, and when those terms are accepted of and complied with, the act is binding on the state.—But if at the meeting of the next assembly, or any other, the whole sum intended to be borrowed, should not be borrowed, that assembly may stop where they are, and discontinue proceeding with the loan, or make new propositions and terms for the remainder; but so far as the subscriptions have been filled up, and the terms complied with, it is, as in the first case, a signed deed: and in the same manner are all acts, let the matters in them be what they may, wherein, as I have before mentioned, the state on one part, and certain individuals on the other part, are parties in the act.

If the state should become a bankrupt, the creditors, as in all cases of bankruptcy, will be sufferers; they will have but a dividend for the whole: but this is not a dissolution of the contract, but an accommodation of it, arising from necessity. And so in all cases of this kind, if an inability takes place on either side, the contract cannot be performed, and some accommodation must be gone into, or the matter falls through of itself.

It may likewise, though it ought not to, happen that in performing the matters, agreeably to the terms of the act, inconveniences, unforeseen at the time of making the act, may arise to either or both parties: in this case, those inconveniences may be removed by the mutual consent and agreement of the parties, and each finds its benefit in so doing: for in a republic it is the harmony of its parts that constitutes their several and mutual good.

But the acts themselves are legally binding, as much as if they had been made between two private individuals. The greatness of one party cannot give it a superiority or advantage over the other. The state, or its representatives, the assembly, has no more power over an act of this kind, after it has passed, than if the state was a private person. It is the glory of a republic to have it so, because it secures the individual from becoming the prey of power, and prevents *might* from overcoming *right*.

If any difference or dispute arise afterwards between the state and the individuals with whom the agreement is made respecting the contract, or the meaning, or extent of any of the matters contained in the act, which may affect the property or interest of either, such difference or dispute must be judged of, and decided upon, by the laws of the land, in a court of justice and trial by jury; that is, by the laws of the land already in being at the time such act and contract was made.—No law made afterwards can apply to the case, either directly, or by construction or implication: for such a law would be a retrospective law, or a law made after the fact, and cannot even be produced in court as applying to the case before it for judgment.

That this is justice, that it is the true principle of republican government, no man will be so hardy as to deny.—If, therefore, a lawful contract or agreement, sealed and ratified, cannot be affected or altered by any act made afterwards, how much more inconsistent and irrational, despotic and unjust would it be, to think of making an act with the professed intention of breaking up a contract already signed and sealed.

That it is possible an assembly, in the heat and indiscretion of party, and meditating on power rather than on the principle by which all power in a republican government is governed, that of equal justice, may fall into the error of passing such an act, is admitted;—but it would be an actless act, an act that goes for nothing, an act which the courts of justice, and the established laws of the land, could know nothing of.

Because such an act would be an act of one party only, not only without, but against the consent of the other; and, therefore, cannot be produced to affect a contract made between the two.—That the violation of a contract should be set up as a justification to the violator, would be the same thing as to say, that a man by breaking his promise is freed from the obligation of it, or that by transgressing the laws, he exempts himself from the punishment of them.

Besides the constitutional and legal reasons why an

assembly cannot, of its own act and authority, undo or make void a contract made between the state (by a former assembly) and certain individuals, may be added what may be called the natural reasons, or those reasons which the plain rules of common sense point out to every man. Among which are the following:

The principals, or real parties in the contract, are the state and the persons contracted with. The assembly is not a party, but an agent in behalf of the state, authorised and empowered to transact its affairs.

Therefore it is the state that is bound on one part and certain individuals on the other part, and the performance of the contract, according to the conditions of it, devolves on succeeding assemblies, not as principals, but as agents.

Therefore, for the next or any other assembly to undertake to dissolve the state from its obligation is an assumption of power of a novel and extraordinary kind.—It is the servant attempting to free his master.

The election of new assemblies following each other makes no difference in the nature of the thing. The state is still the same state. The public is still the same body. These do not annually expire though the time of an assembly does. These are not new-created every year, nor can they be displaced from their original standing; but are a perpetual, permanent body, always in being and still the same.

But if we adopt the vague, inconsistent idea that every new assembly has a full and complete authority over every act done by the state in a former assembly, and confound together laws, contracts, and every species of public business, it will lead us into a wilderness of endless confusion and insurmountable difficulties. It would be declaring an assembly despotic for the time being.—Instead of a government of established principles administered by established rules, the authority of government by being strained so high, would, by the same rule, be reduced proportionably as low, and would be no other than that of a committee of the state, acting with discretionary powers for one year. Every new election would be a new revolution, or it would suppose

the public of the former year dead and a new public in its place.

Having now endeavoured to fix a precise idea to, and distinguish between legislative acts and acts of negotiation and agency, I shall proceed to apply this distinction to the case now in dispute, respecting the charter of the bank.

The charter of the bank, or what is the same thing, the act for incorporating it, is to all intents and purposes an act of negotiation and contract, entered into, and confirmed between the state on one part, and certain persons mentioned therein on the other part. The purpose for which the act was done on the part of the state is therein recited, *viz.* the support which the finances of the country would derive therefrom. The incorporating clause is the condition or obligation on the part of the state; and the obligation on the part of the bank, is "that nothing contained in that act shall be construed to authorise the said corporation to exercise any powers in this state repugnant to the laws or constitution thereof."

Here are all the marks and evidences of a contract. The parties—the purport—and the reciprocal obligations.

That this is a contract, or a joint act, is evident from its being in the power of either of the parties to have forbidden or prevented its being done. The state could not force the stockholders of the bank to be a corporation, and therefore as their consent was necessary to the making the act, their dissent would have prevented its being made; so on the other hand, as the bank could not force the state to incorporate them, the consent or dissent of the state would have had the same effect to do, or to prevent its being done; and as neither of the parties could make the act alone, for the same reason can neither of them dissolve it alone: but this is not the case with a law or act of legislation, and therefore the difference proves it to be an act of a different kind.

The bank may forfeit the charter by delinquency, but the delinquency must be proved and established by a legal process in a court of justice and trial by jury: for the state, or

the assembly, is not to be a judge in its own case, but must come to the laws of the land for judgment; for that which is law for the individual, is likewise law for the state.

Before I enter further into this affair, I shall go back to the circumstances of the country, and the condition the government was in, for some time before, as well as at the time it entered into this engagement with the bank, and this act of incorporation was passed: for the government of this state, and I suppose the same of the rest, were then in want of two of the most essential matters which governments could be destitute of—money and credit.

In looking back to those times, and bringing forward some of the circumstances attending them, I feel myself entering on unpleasant and disagreeable ground; because some of the matters which the attacks on the bank now make it necessary to state, in order to bring the affair fully before the public, will not add honour to those who have promoted that measure and carried it through the late house of assembly; and for whom, though my own judgment and opinion on the case oblige me to differ from, I retain my esteem, and the social remembrance of times past. But, I trust, those gentlemen will do me the justice to recollect my exceeding earnestness with them, last spring, when the attack on the bank first broke out; for it clearly appeared to me one of those overheated measures, which, neither the country at large, nor their own constituents, would justify them in, when it came to be fully understood; for however high a party measure may be carried in an assembly, the people out of doors are all the while following their several occupations and employments, minding their farms and their business, and take their own time and leisure to judge of public measures; the consequence of which is, that they often judge in a cooler spirit than their representatives act in.

It may be easily recollected that the present bank was preceded by, and rose out of a former one, called the Pennsylvania bank which began a few months before; the occasion of which I shall briefly state.

In the spring of 1780, the Pennsylvania assembly was com-

posed of many of the same members, and nearly all of the same connexion, which composed the late house that began the attack on the bank. I served as clerk of the assembly of 1780, which station I resigned at the end of the year, and accompanied a much lamented friend, the late colonel John Laurens, on an embassy to France.

The spring of 1780 was marked with an accumulation of misfortunes. The reliance placed on the defence of Charleston failed, and exceedingly lowered or depressed the spirits of the country. The measures of government, from the want of money, means and credit, dragged on like a heavy loaded carriage without wheels, and were nearly got to what a countryman would understand by a dead pull.

The assembly of that year met, by adjournment, at an unusual time, the 10th of May, and what particularly added to the affliction, was, that so many of the members, instead of spiriting up their constituents to the most nervous exertions, came to the assembly furnished with petitions to be exempt from paying taxes. How the public measures were to be carried on, the country defended, and the army recruited, clothed, fed, and paid, when the only resource, and that not half sufficient, that of taxes, should be relaxed to almost nothing, was a matter too gloomy to look at. A language very different from that of petitions ought at this time to have been the language of every one. A declaration to have stood forth with their lives and fortunes, and a reprobation of every thought of partial indulgence would have sounded much better than petitions.

While the assembly was sitting, a letter from the commander-in-chief was received by the executive council and transmitted to the house. The doors were shut, and it fell officially to me to read.

In this letter the naked truth of things was unfolded. Among other informations, the general said, that notwithstanding his confidence in the attachment of the army to the cause of the country, the distress of it, from the want of every necessary which men could be destitute of, had arisen to such a pitch, that the appearances of mutiny and discon-

tent were so strongly marked on the countenance of the army, that he dreaded the event of every hour.

When the letter was read, I observed a despairing silence in the house. Nobody spoke for a considerable time. At length a member, of whose fortitude to withstand misfortunes I had a high opinion, rose: "If," said he, "the account in that letter is a true state of things, and we are in the situation there represented, it appears to me in vain to contend the matter any longer. We may as well give up at first as at last."

The gentleman who spoke next, was (to the best of my recollection) a member of Bucks county, who, in a cheerful note, endeavored to dissipate the gloom of the house—"Well, well," said he, "don't let the house despair, if things are not so well as we wish, we must endeavour to make them better." And on a motion for adjournment, the conversation went no further.

There was now no time to lose, and something absolutely necessary to be done, which was not within the immediate power of the house to do; for what with the depreciation of the currency, and slow operation of taxes, and the petitions to be exempted therefrom, the treasury was moneyless, and the government creditless.

If the assembly could not give the assistance which the necessity of the case immediately required, it was very proper the matter should be known by those who either could or would endeavor to do it. To conceal the information within the house, and not provide the relief which that information required, was making no use of the knowledge, and endangering the public cause. The only thing that now remained, and was capable of reaching the case, was private credit, and the voluntary aid of individuals; and under this impression, on my return from the house, I drew out the salary due to me as clerk, enclosed five hundred dollars to a gentleman in this city, in part of the whole, and wrote fully to him on the subject of our affairs.

The gentleman to whom this letter was addressed is Mr. Blair M'Clenaghan. I mentioned to him, that notwithstand-

ing the current opinion that the enemy were beaten from before Charleston, there were too many reasons to believe the place was then taken and in the hands of the enemy: the consequence of which would be, that a great part of the British force would return, and join at New-York. That our own army required to be augmented, ten thousand men, to be able to stand against the combined force of the enemy. I informed Mr. M'Clenaghan of general Washington's letter, the extreme distresses he was surrounded with, and the absolute occasion there was for the citizens to exert themselves at this time, which there was no doubt they would do, if the necessity was made known to them; for that the ability of government was exhausted. I requested Mr. M'Clenaghan to propose a voluntary subscription among his friends, and added, that I had enclosed five hundred dollars as my mite thereto, and that I would increase it as far as the last ability would enable me to go.*

The next day Mr. M'Clenaghan informed me that he had communicated the contents of the letter at a meeting of gentlemen at the coffee-house, and that a subscription was immediately began; that Mr. Robert Morris and himself had subscribed two hundred pounds each, in hard money, and that the subscription was going on very successfully. This subscription was intended as a donation, and to be given in bounties to promote the recruiting service. It is dated June 8th, 1780. The original subscription list is now in my possession—it amounts to four hundred pounds hard money, and one hundred and one thousand three hundred and sixty pounds continental.

While this subscription was going forward, information of the loss of Charleston arrived,† and on a communication from several members of congress to certain gentlemen of this city, of the increasing distresses and dangers then taking place, a meeting was held of the subscribers, and such other

* Mr. M'Clenaghan being now returned from Europe, has my consent to show this letter to any gentleman who may be inclined to see it.—*Author.*

† Colonel Tennant, aid to general Lincoln, arrived the 14th of June, with despatches of the capitulation of Charleston.—*Author.*

gentlemen who chose to attend, at the city tavern. This meeting was on the 17th of June, nine days after the subscriptions had begun.

At this meeting it was resolved to open a security-subscription, to the amount of three hundred thousand pounds, Pennsylvania currency, in real money; the subscribers to execute bonds to the amount of their subscriptions, and to form a bank thereon for supplying the army. This being resolved on and carried into execution, the plan of the first subscriptions was discontinued, and this extended one established in its stead.

By means of this bank the army was supplied through the campaign, and being at the same time recruited, was enabled to maintain its ground; and on the appointment of Mr. Morris to be superintendent of the finances the spring following, he arranged the system of the present bank, styled the bank of North America, and many of the subscribers of the former bank tranferred their subscriptions into this.

Towards the establishment of this bank, congress passed an ordinance of incorporation, December 21st, which the government of Pennsylvania recognized by sundry matters: and afterwards, on an application of the president and directors of the bank, through the mediation of the executive council, the assembly agreed to, and passed the state act of incorporation April 1st, 1782.

Thus arose the bank—produced by the distresses of the times and the enterprising spirit of patriotic individuals.—Those individuals furnished and risked the money, and the aid which the government contributed was that of incorporating them.—It would have been well if the State had made all its bargains and contracts with as much true policy as it made this: for a greater service for so small a consideration, that only of an act of incorporation, has not been obtained since the government existed.

Having now shown how the bank originated, I shall proceed with my remarks.

The sudden restoration of public and private credit, which took place on the establishment of the bank, is an event as

extraordinary in itself as any domestic occurence during the progress of the revolution.

How far a spirit of envy might operate to produce the attack on the bank during the sitting of the late assembly, is best known and felt by those who began or promoted the attack. The bank had rendered services which the assembly of 1780 could not, and acquired an honour which many of its members might be unwilling to own, and wish to obscure.

But surely every government, acting on the principles of patriotism and public good, would cherish an institution capable of rendering such advantages to the community. The establishment of the bank in one of the most trying vicissitudes of the war, its zealous services in the public cause, its influence in restoring and supporting credit, and the punctuality with which all its business has been transacted, are matters, that so far from meriting the treatment it met with from the late assembly, are an honour to the state, and what the body of her citizens may be proud to own.

But the attack on the bank, as a chartered institution, under the protection of its violators, however criminal it may be as an error of government, or impolitic as a measure of party, is not to be charged on the constituents of those who made the attack. It appears from every circumstance that has come to light, to be a measure which that assembly contrived of itself. The members did not come charged with the affair from their constituents. There was no idea of such a thing when they were elected or when they met. The hasty and precipitate manner in which it was hurried through the house, and the refusal of the house to hear the directors of the bank in its defence, prior to the publication of the repealing bill for public consideration, operated to prevent their constituents comprehending the subject: therefore, whatever may be wrong in the proceedings lies not at the door of the public. The house took the affair on its own shoulders, and whatever blame there is, lies on them.

The matter must have been prejudged and predetermined

by a majority of the members out of the house, before it was brought into it. The whole business appears to have been fixed at once, and all reasoning or debate on the case rendered useless.

Petitions from a very inconsiderable number of persons, suddenly procured, and so privately done, as to be a secret among the few that signed them, were presented to the house and read twice in one day, and referred to a committee of the house to *inquire* and report thereon. I here subjoin the petition * and the report, and shall exercise the right

* Minutes of the assembly, March 21, 1785. Petitions from a considerable number of the inhabitants of *Chester* county were read, representing that the bank established at *Philadelphia* has fatal effects upon the community; that whilst men are enabled, by means of the bank, to receive near three times the rate of common interest, and at the same time receive their money at very short warning, whenever they have occasion for it, it will be impossible for the husbandman or mechanic to borrow on the former terms of legal interest and distant payments of the principal; that the best security will not enable the person to borrow: that experience clearly demonstrates the mischievous consequences of this institution to the fair trader; that imposters have been enabled to support themselves in a fictitious credit, by means of a temporary punctuality at the bank, until they have drawn in their honest neighbours to trust them with their property, or to pledge their credit as sureties, and have been finally involved in ruin and distress; that they have repeatedly seen the stopping of discounts at the bank operate on the trading part of the community, with a degree of violence scarcely inferior to that of a stagnation of the blood in the human body, hurrying the wretched merchant who hath debts to pay into the hands of griping usurers: that the directors of the bank may give such preference in trade, by advances of money, to their particular favourites, as to destroy that equality which ought to prevail in a commercial country; that paper money has often proved beneficial to the state, but the bank forbids it, and the people must acquiesce: therefore, and in order to restore public confidence and private security, they pray that a bill may be brought in and passed into a law for repealing the law for incorporating the bank.

March 28. The report of the committee, read March 25, on the petitions from the counties of *Chester* and *Berks*, and the city of *Philadelphia* and its vicinity, praying the act of the assembly, whereby the bank was established at *Philadelphia*, may be repealed, was read the second time as follows—*viz.*

The committee to whom was referred the petitions concerning the bank established at *Philadelphia*, and who were instructed to inquire whether the said bank be compatible with the public safety, and that equality which ought ever to prevail between the individuals of a republic, beg leave to report, that it is the opinion of this committee that the said bank, as at present established,

and privilege of a citizen in examining their merits, not for the purpose of opposition, but with a design of making an intricate affair more generally and better understood.

So far as my private judgment is capable of comprehending the subject, it appears to me, that the committee were unacquainted with, and have totally mistaken, the nature and business of a bank, as well as the matter committed to them, considered as a proceeding of government.

They were instructed by the house to *inquire* whether the bank established at Philadelphia was compatible with the public safety. It is scarcely possible to suppose the instructions meant no more than that they were to inquire of one another. It is certain they made no inquiry at the bank, to inform themselves of the situation of its affairs, how they were conducted, what aids it had rendered the public cause, or whether any; nor do the committee produce in their report a single fact or circumstance to show that they made any inquiry at all, or whether the rumours then circulated were true or false; but content themselves with modelling the insinuations of the petitions into a report and giving an opinion thereon. It would appear from the report, that

is in every view incompatible with the public safety—that in the present state of our trade, the said bank has a direct tendency to banish a great part of the specie from the country, so as to produce a scarcity of money, and to collect into the hands of the stockholders of the said bank, almost the whole of the money which remains amongst us. That the accumulation of enormous wealth in the hands of a society, who claim perpetual duration, will necessarily produce a degree of influence and power, which cannot be intrusted in the hands of any set of men whatsoever, without endangering the public safety. That the said bank, in its corporate capacity, is empowered to hold estates to the amount of ten millions of dollars, and by the tenor of the present charter, is to exist forever, without being obliged to yield any emolument to the government, or to be at all dependent upon it. That the great profits of the bank which will daily increase as money grows scarcer, and which already far exceed the profits of European banks, have tempted foreigners to vest their money in this bank, and thus to draw from us large sums for interest.

That foreigners will doubtless be more and more induced to become stockholders, until the time may arrive when this enormous engine of power may become subject to foreign influence; this country may be agitated with the politics of European courts, and the good people of America reduced once more

the committee either conceived that the house had already determined how it would act without regard to the case, and that they were only a committee for form sake, and to give a colour of inquiry without making any, or that the case was referred to them, *as law-questions are sometimes referred to law-officers for an opinion only.*

This method of doing public business serves exceedingly to mislead a country.—When the constituents of an assembly hear that an inquiry into any matter is directed to be made, and a committee appointed for that purpose, they naturally conclude that the inquiry *is made*, and that the future proceedings of the house are in consequence of the matters, facts, and information obtained by means of that inquiry.—But here is a committee of inquiry making no inquiry at all, and giving an opinion on a case without inquiring into the merits of it. This proceeding of the committee would justify an opinion that it was not their wish to *get*, but to *get over* information, and lest the inquiry should not suit their wishes, omitted to make any. The subsequent conduct of the house, in resolving not to hear the directors of the bank, on

into a state of subordination, and dependance upon some one or other of the European powers. That at best, if it were even confined to the hands of Americans, it would be totally destructive of that equality which ought to prevail in a republic. We have nothing in our free and equal government capable of balancing the influence which this bank must create—and we see nothing, which in the course of a few years, can prevent the directors of the bank from governing Pennsylvania. Already we have felt its influence indirectly interfering in the measures of the legislature. Already the house of assembly, the representatives of the people, have been threatened, that the credit of our paper currency will be blasted by the bank; and if this growing evil continues, we fear the time is not very distant, when the bank will be able to dictate to the legislature, what laws to pass and what to forbear.

Your committee therefore beg leave further to report the following resolution to be adopted by the house—*viz.*

Resolved, that a committee be appointed to bring in a bill to repeal the act of assembly passed the 1st day of April, 1782, entitled, "An act to incorporate the subscribers to the bank of North-America:" and also to repeal one other act of assembly, passed the 18th of March, 1782, entitled, "An act for preventing and punishing the counterfeiting of the common seal, bank bills and bank notes of the president, directors and company, of the bank of North-America, and for the other purposes therein mentioned."—*Author.*

their application for that purpose, prior to the publication of the bill for the consideration of the people, strongly corroborates this opinion: for why should not the house hear them, unless it was apprehensive that the bank, by such a public opportunity, would produce proofs of its services and usefulness, that would not suit the temper and views of its oppressors?

But if the house did not wish or choose to hear the defence of the bank, it was no reason that their constituents should not. The constitution of this state, in lieu of having two branches of legislature, has substituted, that, "to the end that laws before they are enacted may be more *maturely considered*, and the inconvenience of *hasty determinations* as much as possible prevented, all bills of a public nature shall be printed for the consideration of the people." * The people, therefore, according to the constitution, stand in the place of another house; or, more properly speaking, are a house in their own right. But in this instance, the assembly arrogates the whole power to itself, and places itself as a bar to stop the necessary information spreading among the people. The application of the bank to be heard before the bill was published for public consideration had two objects. First, to the house,—and secondly, through the house to the people, who are as another house. It was as a defence in the first instance, and as an appeal in the second. But the assembly absorbs the right of the people to judge; because, by refusing to hear the defence, they barred the appeal. Were there no other cause which the constituents of that assembly had for censuring its conduct, than the exceeding unfairness, partiality, and arbitrariness with which its business was transacted, it would be cause sufficient.

Let the constituents of assemblies differ, as they may, respecting certain peculiarities in the *form* of the constitution, they will all agree in supporting its *principles*, and in reprobating unfair proceedings and despotic measures.—Every constituent is a member of the republic, which is a station of more consequence to him than being a member of a party,

* Constitution, sect. 15th.—*Author.*

and though they may differ from each other in their choice of persons to transact the public business, it is of equal importance to all parties that the business be done on right principles; otherwise our laws and acts, instead of being founded in justice, will be founded in party, and be laws and acts of retaliation; and instead of being a republic of free citizens, we shall be alternately tyrants and slaves. But to return to the report.

The report begins by stating that, "The committee to whom was referred the petitions concerning the bank established at Philadelphia, and who were instructed to *inquire* whether the said bank be compatible with the public safety, and that equality which ought ever to prevail between the individuals of a republic, beg leave to report" (not that they have made any *inquiry*, but) "that it is the *opinion* of this committee, that the said bank, as at present established, is, in every view, incompatible with the public safety." But why is it so? Here is an opinion unfounded and unwarranted. The committee have begun their report at the wrong end; for an opinion, when given as a matter of judgment, is an action of the mind which follows a fact, but here it is put in the room of one.

The report then says, "that in the present state of our trade, the said bank has a direct tendency to banish a great part of the specie from the country, and to collect into the hands of the stockholders of the bank, almost the whole of the money which remains among us."

Here is another mere assertion, just like the former, without a single fact or circumstance to show why it is made, or whereon it is founded. Now the very reverse of what the committee asserts is the natural consequence of a bank. Specie may be called the stock in trade of the bank, it is therefore its interest to prevent it from wandering out of the country, and to keep a constant standing supply to be ready for all domestic occasions and demands. Were it true that the bank has a direct tendency to banish the specie from the country, there would soon be an end to the bank; and, therefore, the committee have so far mistaken the mat-

ter, as to put their fears in the place of their wishes: for if it is to happen as the committee states, let the bank alone and it will cease of itself, and the repealing act need not have been passed.

It is the interest of the bank that people should keep their cash there, and all commercial countries find the exceeding great convenience of having a general depository for their cash. But so far from banishing it, there are no two classes of people in America who are so much interested in preserving hard money in the country as the bank and the merchant. Neither of them can carry on their business without it. Their opposition to the paper money of the late assembly was because it has a direct effect, as far as it is able, to banish the specie, and that without providing any means for bringing more in.

The committee must have been aware of this, and therefore chose to spread the first alarm, and, groundless as it was, to trust to the delusion.

As the keeping the specie in the country is the interest of the bank, so it has the best opportunities of preventing its being sent away, and the earliest knowledge of such a design. While the bank is the general depository of cash, no great sums can be obtained without getting it from thence, and as it is evidently prejudicial to its interest to advance money to be sent abroad, because in this case the money cannot by circulation return again, the bank, therefore, is interested in preventing what the committee would have it suspected of promoting.

It is to prevent the exportation of cash, and to retain it in the country, that the bank has, on several occasions, stopped the discounting notes till the danger has been passed.* The

* The petitions say, "That they have frequently seen the stopping of discounts at the bank operate on the trading part of the community, with a degree of violence scarcely inferior to that of a stagnation of the blood in the human body, hurrying the wretched merchant who hath debts to pay into the hands of griping usurers."

As the persons who say or signed this live somewhere in Chester county, they are not, from situation, certain of what they say. Those petitions have every appearance of being contrived for the purpose of bringing the matter on. The

first part, therefore, of the assertion, that of banishing the specie, contains an apprehension as needless as it is groundless, and which, had the committee understood, or been the least informed of the nature of a bank, they could not have made. It is very probable that some of the opposers of the bank are those persons who have been disappointed in their attempts to obtain specie for this purpose, and now disguise their opposition under other pretences.

I now come to the second part of the assertion, which is, that when the bank has banished a great part of the specie from the country, "it will collect into the hands of the stockholders almost the whole of the money which remains among us." But how, or by what means, the bank is to accomplish this wonderful feat, the committee have not informed us. Whether people are to give their money to the bank for nothing, or whether the bank is to charm it from them as a rattlesnake charms a squirrel from a tree, the committee have left us as much in the dark about as they were themselves.

Is it possible the committee should know so very little of the matter, as not to know that no part of the money which at any time may be in the bank belongs to the stockholders?

petitions and the report have strong evidence in them of being both drawn by the same person: for the report is as clearly the echo of the petitions as ever the address of the British parliament was the echo of the king's speech.

Besides the reason I have already given for occasionally stopping discounting notes at the bank, there are other necessary reasons. It is for the purpose of settling accounts: short reckonings make long friends. The bank lends its money for short periods, and by that means assists a great many different people: and if it did not sometimes stop discounting as a means of settling with the persons it has already lent its money to, those persons would find a way to keep what they had borrowed longer than they ought, and prevent others being assisted. It is a fact, and some of the committee know it to be so, that sundry of those persons who then opposed the bank acted this part.

The stopping the discounts do not, and cannot, operate to call in the loans sooner than the time for which they were lent, and therefore the charge is false that "it hurries men into the hands of griping usurers:" and the truth is, that it operates to keep them from them.

If petitions are to be contrived to cover the design of a house of assembly, and give a pretence for its conduct, or if a house is to be led by the nose by the idle tale of any fifty or sixty signers to a petition, it is time for the public to look a little closer into the conduct of its representatives.—*Author.*

Not even the original capital which they put in is any part of it their own, until every person who has a demand upon the bank is paid, and if there is not a sufficiency for this purpose, on the balance of loss and gain, the original money of the stockholders must make up the deficiency.

The money, which at any time may be in the bank, is the property of every man who holds a bank note, or deposits cash there, or who has a just demand upon it from the city of Philadelphia up to fort Pitt, or to any part of the United States; and he can draw the money from it when he pleases. Its being in the bank, does not in the least make it the property of the stockholders, any more than the money in the state treasury is the property of the state treasurer. They are only stewards over it for those who please to put it, or let it remain there: and, therefore, this second part of the assertion is somewhat ridiculous.

The next paragraph in the report is, "that the accumulation of *enormous wealth* in the hands of a *society* who claim perpetual duration, will necessarily produce a degree of influence and power which cannot be entrusted in the hands of any set of men whatsoever" (the committee I presume excepted) "without endangering public safety." There is an air of solemn fear in this paragraph which is something like introducing a ghost in a play to keep people from laughing at the players.

I have already shown that whatever wealth there may be, at any time, in the bank, is the property of those who have demands upon the bank, and not the property of the stockholders. As a society they hold no property, and most probably never will, unless it should be a house to transact their business in, instead of hiring one. Every half year the bank settles its accounts, and each individual stockholder takes his dividend of gain or loss to himself, and the bank begins the next half year in the same manner it began the first, and so on. This being the nature of a bank, there can be no accumulation of wealth among them as a society.

For what purpose the word "*society*" is introduced into the report I do not know, unless it be to make a false impression upon people's minds. It has no connexion with the

subject, for the bank is not a society, but a company, and denominated so in the charter. There are several religious societies incorporated in this state, which hold property as the right of those societies, and to which no person can belong that is not of the same religious profession. But this is not the case with the bank. The bank is a company for the promotion and convenience of commerce, which is a matter in which all the state is interested, and holds no property in the manner which those societies do.

But there is a direct contradiction in this paragraph to that which goes before it. The committee, there, accuses the bank of banishing the specie, and here, of accumulating enormous sums of it. So here are two enormous sums of specie; one enormous sum going out, and another enormous sum remaining. To reconcile this contradiction, the committee should have added to their report, *that they suspected the bank had found out the philosopher's stone, and kept it a secret.*

The next paragraph is, "that the said bank, in its corporate capacity, is empowered to hold estates to the amount of ten millions of dollars, and by the tenor of the present charter is to exist for ever, without being obliged to yield any emolument to the government, or be in the least dependant on it."

The committee have gone so vehemently into this business, and so completely shown their want of knowledge in every point of it, as to make, in the first part of this paragraph, a fear of what, the greater fear is, will never happen. Had the committee known any thing of banking, they must have known, that the objection against banks has been (not that they held great estates but) that they held none; that they had no real, fixed, and visible property, and that it is the maxim and practice of banks not to hold any.

The honourable chancellor Livingston, late secretary for foreign affairs, did me the honour of showing, and discoursing with me on, a plan of a bank he had drawn up for the state of New-York. In this plan it was made a condition or obligation, that whatever the capital of the bank amounted to in specie, there should be added twice as much in real estates. But the mercantile interest rejected the proposition.

It was a very good piece of policy in the assembly which passed the charter act, to add the clause to empower the bank to purchase and hold real estates. It was as an inducement to the bank to do it, because such estates being held as the property of the bank would be so many mortgages to the public in addition to the money capital of the bank.

But the doubt is that the bank will not be induced to accept the opportunity. The bank has existed five years, and has not purchased a shilling of real property: and as such property or estates cannot be purchased by the bank but with the interest money which the stock produces, and as that is divided every half year among the stockholders, and each stockholder chooses to have the management of his own dividend, and if he lays it out in purchasing an estate to have that estate his own private property, and under his own immediate management, there is no expectation, so far from being any fear, that the clause will be accepted.

Where knowledge is a duty, ignorance is a crime; and the committee are criminal in not understanding this subject better. Had this clause not been in the charter, the committee might have reported the want of it as a defect, in not empowering the bank to hold estates as a real security to its creditors: but as the complaint now stands, the accusation of it is, that the charter empowers the bank to *give real security* to its creditors. A complaint never made, heard of, or thought of before.

The second article in this paragraph is, "that the bank, according to the tenor of the present charter, is to exist for ever." Here I agree with the committee, and am glad to find that among such a list of errors and contradictions there is one idea which is not wrong, although the committee have made a wrong use of it.

As we are not to live for ever ourselves, and other generations are to follow us, we have neither the power nor the right to govern them, or to say how they shall govern themselves. It is the summit of human vanity, and shows a covetousness of power beyond the grave, to be dictating to the world to come. It is sufficient that we do that which

is right in our own day, and leave them with the advantage of good examples.

As the generations of the world are every day both commencing and expiring, therefore, when any public act, of this sort, is done, it naturally supposes the age of that generation to be then beginning, and the time contained between coming of age, and the natural end of life, is the extent of time it has a right to go to, which may be about thirty years; for though many may die before, others will live beyond; and the mean time is equally fair for all generations.

If it was made an article in the constitution, that all laws and acts should cease of themselves in thirty years, and have no legal force beyond that time, it would prevent their becoming too numerous and voluminous, and serve to keep them within view in a compact compass. Such as were proper to be continued, would be enacted again, and those which were not, would go into oblivion. There is the same propriety that a nation should fix a time for a full settlement of its affairs, and begin again from a new date, as that an individual should; and to keep within the distance of thirty years would be a convenient period.

The British, from the want of some general regulation of this kind, have a great number of obsolete laws; which, though out of use and forgotten, are not out of force, and are occasionally brought up for particular purposes, and innocent, unwary persons trapanned thereby.

To extend this idea still further,—it would probably be a considerable improvement in the political system of nations, to make all treaties of peace for a limited time. It is the nature of the mind to feel uneasy under the idea of a condition perpetually existing over it, and to excite in itself apprehensions that would not take place were it not from that cause.

Were treaties of peace made for, and renewable every seven or ten years, the natural effect would be, to make peace continue longer than it does under the custom of making peace for ever. If the parties felt, or apprehended, any inconveniences under the terms already made, they would

look forward to the time when they should be eventually relieved therefrom, and might renew the treaty on improved conditions. This opportunity periodically occurring, and the recollection of it always existing, would serve as a chimney to the political fabric, to carry off the smoke and fume of national fire. It would naturally abate and honorably take off the edge and occasion for fighting: and however the parties might determine to do it, when the time of the treaty should expire, it would then seem like fighting in cool blood: the fighting temper would be dissipated before the fighting time arrived, and negotiation supply its place. To know how probable this may be, a man need do no more than observe the progress of his own mind on any private circumstance similar in its nature to a public one. But to return to my subject.

To give limitation is to give duration: and though it is not a justifying reason, that because an act or contract is not to last for ever, that it shall be broken or violated to-day, yet, where no time is mentioned, the omission affords an opportunity for the abuse. When we violate a contract on this pretence, we assume a right that belongs to the next generation; for though they, as a following generation, have the right of altering or setting it aside, as not being concerned in the making it, or not being done in their day, we, who made it, have not that right; and, therefore, the committee, in this part of their report, have made a wrong use of a right principle; and as this clause in the charter might have been altered by the consent of the parties, it cannot be produced to justify the violation. And were it not altered there would be no inconvenience from it. The term "for ever" is an absurdity that would have no effect. The next age will think for itself, by the same rule of right that we have done, and not admit any assumed authority of ours to encroach upon the system of their day. Our *for ever* ends, where their *for ever* begins.

The third article in this paragraph is, that the bank holds its charter "without being obliged to yield any emolument to the government."

Ingratitude has a short memory. It was on the failure of the government to support the public cause, that the bank originated. It stepped in as a support, when some of the persons then in the government, and who now oppose the bank, were apparently on the point of abandoning the cause, not from disaffection, but from despair. While the expenses of the war were carried on by emissions of continental money, any set of men, in government, might carry it on. The means being provided to their hands, required no great exertions of fortitude or wisdom; but when this means failed, they would have failed with it, had not a public spirit awakened itself with energy out of doors. It was easy times to the governments while continental money lasted. The dream of wealth supplied the reality of it; but when the dream vanished, the government did not awake.

But what right has the government to expect any emolument from the bank? Does the committee mean to set up acts and charters for sale, or what do they mean? Because it is the practice of the British ministry to grind a toll out of every public institution they can get a power over, is the same practice to be followed here?

The war being now ended, and the bank having rendered the service expected, or rather hoped for, from it, the principal public use of it, at this time, is for the promotion and extension of commerce. The whole community derives benefit from the operation of the bank. It facilitates the commerce of the country. It quickens the means of purchasing and paying for country produce, and hastens on the exportation of it. The emolument, therefore, being to the community, it is the office and duty of government to give protection to the bank.

Among many of the principal conveniences arising from the bank, one of them is, that it gives a kind of life to, what would otherwise be, dead money. Every merchant and person in trade, has always in his hands some quantity of cash, which constantly remains with him; that is, he is never entirely without: this remnant money, as it may be called, is of no use to him till more is collected to it.—He can neither

buy produce nor merchandize with it, and this being the case with every person in trade, there will be (though not all at the same time) as many of those sums lying uselessly by, and scattered throughout the city, as there are persons in trade, besides many that are not in trade.

I should not suppose the estimate overrated, in conjecturing, that half the money in the city, at any one time, lies in this manner. By collecting those scattered sums together, which is done by means of the bank, they become capable of being used, and the quantity of circulating cash is doubled, and by the depositors alternately lending them to each other, the commercial system is invigorated: and as it is the interest of the bank to preserve this money in the country for domestic uses only, and as it has the best opportunity of doing so, the bank serves as a sentinel over the specie.

If a farmer, or a miller, comes to the city with produce, there are but few merchants that can individually purchase it with ready money of their own; and those few would command nearly the whole market for country produce; but, by means of the bank, this monopoly is prevented, and the chance of the market enlarged. It is very extraordinary that the late assembly should promote monopolizing; yet such would be the effect of suppressing the bank; and it is much to the honour of those merchants, who are capable by their fortunes of becoming monopolizers, that they support the bank. In this case, honour operates over interest. They were the persons who first set up the bank, and their honour is now engaged to support what it is their interest to put down.

If merchants, by this means, or farmers, by similar means, among themselves, can mutually aid and support each other, what has the government to do with it? What right has it to expect emolument from associated industry, more than from individual industry? It would be a strange sort of government, that should make it illegal for people to assist each other, or pay a tribute for doing so.

But the truth is, that the government has already derived emoluments, and very extraordinary ones. It has already

received its full share, by the services of the bank during the war; and it is every day receiving benefits, because whatever promotes and facilitates commerce, serves likewise to promote and facilitate the revenue.

The last article in this paragraph is, "that the bank is not the least dependant on the government."

Have the committee so soon forgotten the principles of republican government, and the constitution, or are they so little acquainted with them, as not to know, that this article in their report partakes of the nature of treason? Do they not know, that freedom is destroyed by dependance, and the safety of the state endangered thereby? Do they not see, that to hold any part of the citizens of the state, as yearly pensioners on the favour of an assembly, is striking at the root of free elections?

If other parts of their report discover a want of knowledge on the subject of banks, this shows a want of principle in the science of government.

Only let us suppose this dangerous idea carried into practice, and then see what it leads to. If corporate bodies are, after their incorporation, to be annually dependant on an assembly for the continuance of their charter, the citizens which compose those corporations, are not free. The government holds an authority and influence over them, in a manner different from what it does over other citizens, and by this means destroys that equality of freedom, which is the bulwark of the republic and the constitution.

By this scheme of government any party, which happens to be uppermost in a state, will command all the corporations in it, and may create more for the purpose of extending that influence. The dependant borough towns in England are the rotten parts of their government and this idea of the committee has a very near relation to it.

"If you do not do so and so," expressing what was meant, "take care of your charter," was a threat thrown out against the bank. But as I do not wish to enlarge on a disagreeable circumstance, and hope that what is already said is sufficient to show the anti-constitutional conduct and prin-

ciples of the committee, I shall pass on to the next paragraph in the report.—Which is—

"That the great profits of the bank, which will daily increase as money grows scarcer, and which already far exceeds the profits of European banks, have tempted foreigners to vest their money in this bank, and thus to draw from us large sums for interest."

Had the committee understood the subject, some dependance might be put on their opinion which now cannot. Whether money will grow scarcer, and whether the profits of the bank will increase, are more than the committee know, or are judges sufficient to guess at. The committee are not so capable of taking care of commerce, as commerce is capable of taking care of itself. The farmer understands farming, and the merchant understands commerce; and as riches are equally the object of both, there is no occasion that either should fear that the other will seek to be poor. The more money the merchant has, so much the better for the farmer who has produce to sell; and the richer the farmer is, so much the better for the merchant, when he comes to his store.

As to the profits of the bank, the stockholders must take their chance for it. It may some years be more and others less, and upon the whole may mot be so productive as many other ways that money may be employed. It is the convenience which the stockholders, as commercial men, derive from the establishment of the bank, and not the mere interest they receive, that is the inducement to them. It is the ready opportunity of borrowing alternately of each other that forms the principal object: and as they pay as well as receive a great part of the interest among themselves, it is nearly the same thing, both cases considered at once, whether it is more or less.

The stockholders are occasionally depositors and sometimes borrowers of the bank. They pay interest for what they borrow, and receive none for what they deposit; and were a stockholder to keep a nice account of the interest he pays for the one and loses on the other, he would find, at

the year's end, that ten per cent. on his stock would probably not be more than common interest on the whole, if so much.

As to the committee complaining "that foreigners by vesting their money in the bank will draw large sums from us for interest," it is like a miller complaining, in a dry season, that so much water runs into his dam some of it runs over.

Could those foreigners draw this interest without putting in any capital, the complaint would be well founded; but as they must first put money in before they can draw any out, as they must draw many years before they can draw even the numerical sum they put in at first, the effect for at least twenty years to come, will be directly contrary to what the committee states; because we draw *capital* from them and they only *interest* from us, and as we shall have the use of the money all the while it remains with us, the advantage will always be in our favour.—In framing this part of the report, the committee must have forgotten which side of the Atlantic they were on, for the case would be as they state it if we put money into their bank instead of their putting it into ours.

I have now gone through, line by line, every objection against the bank, contained in the first half of the report; what follows may be called, *The lamentations of the committee*, and a lamentable, pusillanimous, degrading thing it is.—It is a public affront, a reflection upon the sense and spirit of the whole country. I shall give the remainder together, as it stands in the report, and then my remarks. The lamentations are:

"That foreigners will doubtless be more and more induced to become stock holders, until the time may arrive when this *enormous* engine of power may become subject to foreign influence, this country may be agitated by the politics of European courts, and the good people of America reduced once more into a state of subordination and dependance upon some one or other of the European powers. That at best, if it were even confined to the hands of Americans, it would be totally destructive of that equality

which ought to prevail in a republic. We have nothing in our free and equal government capable of balancing the influence which this bank must create; and we see nothing which in the course of a few years can prevent the directors of the bank from governing Pennsylvania. Already we have felt its influence indirectly interfering in the measures of the legislature. Already the house of asembly, the representatives of the people, have been threatened, that the credit of our paper currency will be blasted by the bank; and if this growing evil continues, we fear the time is not very distant when the bank will be able to dictate to the legislature, what laws to pass and what to forbear."

When the sky falls we shall all be killed. There is something so ridiculously grave, so wide of probability, and so wild, confused and inconsistent in the whole composition of this long paragraph, that I am at a loss how to begin upon it.—It is like a drowning man crying fire! fire!

This part of the report is made up of two dreadful predictions. The first is, that if foreigners purchase bank stock, we shall be all ruined;—the second is, that if the Americans keep the bank to themselves, we shall be also ruined.

A committee of fortune-tellers is a novelty in government, and the gentlemen, by giving this specimen of their art, have ingeniously saved their honour on one point, which is, that though the people may say they are not bankers, nobody can say they are not conjurors.—There is, however, one consolation left, which is, that the committee do not know *exactly* how long it may be; so there is some hope that we may all be in heaven when this dreadful calamity happens upon earth.

But to be serious, if any seriousness is necessary on so laughable a subject.—If the state should think there is any thing improper in foreigners purchasing bank stock, or any other kind of stock or funded property (for I see no reason why bank stock should be particularly pointed at) the legislature have authority to prohibit it. It is a mere political opinion that has nothing to do with the charter, or the charter with that; and therefore the first dreadful prediction vanishes.

It has always been a maxim in politics, founded on, and

drawn from, natural causes and consequences, that the more foreign countries which any nation can interest in the prosperity of its own, so much the better. Where the treasure is, there will the heart be also; and therefore when foreigners vest their money with us, they naturally invest their good wishes with it; and it is we that obtain an influence over them, not they over us.—But the committee set out so very wrong at first, that the further they travelled, the more they were out of their way; and now they have got to the end of their report, they are at the utmost distance from their business.

As to the second dreadful part, that of the bank overturning the government, perhaps the committee meant that at the next general election themselves might be turned out of it, which has partly been the case; not by the influence of the bank, for it had none, not even enough to obtain the permission of a hearing from government, but by the influence of reason and the choice of the people, who most probably resent the undue and unconstitutional influence which that house and committee were assuming over the privileges of citizenship.

The committee might have been so modest as to have confined themselves to the bank, and not thrown a general odium on the whole country. Before the events can happen which the committee predict, the electors of Pennsylvania must become dupes, dunces, and cowards, and, therefore, when the committee predict the dominion of the bank they predict the disgrace of the people.

The committee having finished their report, proceed to give their advice, which is,

"That a committee be appointed to bring in a bill to repeal the act of assembly passed the first day of April, 1782, entitled, 'An act to incorporate the subscribers to the bank of North-America,' and also to repeal one other act of the assembly passed the 18th of March, 1782, entitled, 'An act for preventing and punishing the counterfeiting of the common seal, bank-bills and bank notes of the president, directors and company of the bank of North-America, and for other purposes therein mentioned.'"

There is something in this sequel to the report that is perplexed and obscure.

Here are two acts to be repealed. One is, the incorporating act. The other, the act for preventing and punishing the counterfeiting of the common seal, bank bills, and bank notes of the president, directors and company of the bank of North-America.

It would appear from the committee's manner of arranging them (were it not for the difference of their dates) that the act for punishing the counterfeiting the common seal, etc. of the bank, followed the act of incorporation, and that the common seal there referred to is a common seal which the bank held in consequence of the aforesaid incorporating act.—But the case is quite otherwise. The act for punishing the counterfeiting the common seal, etc. of the bank, was passed prior to the incorporating act, and refers to the common seal which the bank held in consequence of the charter of congress, and the style which the act expresses, of president, directors and company of the bank of North-America, is the corporate style which the bank derives under the congress charter.

The punishing act, therefore, hath two distinct legal points. The one is, an authoritative public recognition of the charter of congress. The second is, the punishment it inflicts on counterfeiting.

The legislature may repeal the punishing part, but it cannot undo the recognition, because no repealing act can say that the state has not recognized. The recognition is a mere matter of fact, and no law or act can undo a fact, or put it, if I may so express it, in the condition it was before it existed. The repealing act therefore does not reach the full point the committee had in view; for even admitting it to be a repeal of the state charter, it still leaves another charter recognized in its stead.—The charter of congress, standing merely on itself, would have a doubtful authority, but recognition of it by the state gives it legal ability. The repealing act, it is true sets aside the punishment, but does not bar the operation of the charter of congress as a charter recognized by the state, and therefore the committee did their business but by halves.

I have now gone entirely through the report of the committee, and a more irrational, inconsistent, contradictory report will scarcely be found on the journals of any legislature of America.

How the repealing act is to be applied, or in what manner it is to operate, is a matter yet to be determined. For admitting a question of law to arise, whether the charter, which that act attempts to repeal, is a law of the land in the manner which laws of universal operation are, or of the nature of a contract made between the public and the bank, (as I have already explained in this work,) the repealing act does not and cannot decide the question, because it is the repealing act that makes the question, and its own fate is involved in the decision. It is a question of law and not a question of legislation, and must be decided on in a court of justice and not by a house of assembly.

But the repealing act, by being passed prior to the decision of this point, assumes the power of deciding it, and the assembly in so doing erects itself unconstitutionally into a tribunal of judicature, and absorbs the authority and right of the courts of justice into itself.

Therefore the operation of the repealing act, in its very outset, requires injustice to be done. For it is impossible on the principles of a republican government and the constitution, to pass an act to forbid any of the citizens the right of appealing to the courts of justice on any matter in which his interest or property is affected; but the first operation of this act goes to shut up the courts of justice and holds them subservient to the assembly. It either commands or influences them not to hear the case, or to give judgment on it on the mere will of one party only.

I wish the citizens to awaken themselves on this subject. Not because the bank is concerned, but because their own constitutional rights and privileges are involved in the event. It is a question of exceeding great magnitude; for if an assembly is to have this power, the laws of the land and the courts of justice are but of little use.

Having now finished with the report, I proceed to the third and last subject—that of paper money.

I remember a German farmer expressing as much in a few words as the whole subject requires; "*money is money, and paper is paper.*"—All the invention of man cannot make them otherwise. The alchymist may cease his labours, and the hunter after the philosopher's stone go to rest, if paper can be metamorphosed into gold and silver, or made to answer the same purpose in all cases.

Gold and silver are the emissions of nature: paper is the emission of art. The value of gold and silver is ascertained by the quantity which nature has made in the earth. We cannot make that quantity more or less than it is, and therefore the value being dependant upon the quantity, depends not on man.—Man has no share in making gold or silver; all that his labours and ingenuity can accomplish is, to collect it from the mine, refine it for use and give it an impression, or stamp it into coin.

Its being stamped into coin adds considerably to its convenience but nothing to its value. It has then no more value than it had before. Its value is not in the impression but in itself. Take away the impression and still the same value remains. Alter it as you will, or expose it to any misfortune that can happen, still the value is not diminished. It has a capacity to resist the accidents that destroy other things. It has, therefore, all the requisite qualities that money can have, and is a fit material to make money of; and nothing which has not all those properties, can be fit for the purpose of money.

Paper, considered as a material whereof to make money, has none of the requisite qualities in it. It is too plentiful, and too easily come at. It can be had any where, and for a trifle.

There are two ways in which I shall consider paper.

The only proper use for paper, in the room of money, is to write promissory notes and obligations of payment in specie upon. A piece of paper, thus written and signed, is worth the sum it is given for, if the person who gives it is

able to pay it; because in this case, the law will oblige him. But if he is worth nothing, the paper note is worth nothing. The value, therefore, of such a note, is not in the note itself, for that is but paper and promise, but in the man who is obliged to redeem it with gold or silver.

Paper, circulating in this manner, and for this purpose, continually points to the place and person where, and of whom, the money is to be had, and at last finds its home; and, as it were, unlocks its master's chest and pays the bearer.

But when an assembly undertake to issue paper *as* money, the whole system of safety and certainty is overturned, and property set afloat. Paper notes given and taken between individuals as a promise of payment is one thing, but paper issued by an assembly *as* money is another thing. It is like putting an apparition in the place of a man; it vanishes with looking at it, and nothing remains but the air.

Money, when considered as the fruit of many years industry, as the reward of labour, sweat and toil, as the widow's dowry and children's portion, and as the means of procuring the necessaries and alleviating the afflictions of life, and making old age a scene of rest, has something in it sacred that is not to be sported with, or trusted to the airy bubble of paper currency.

By what power or authority an assembly undertakes to make paper money, is difficult to say. It derives none from the constitution, for that is silent on the subject. It is one of those things which the people have not delegated, and which, were they at any time assembled together, they would not delegate. It is, therefore, an assumption of power which an assembly is not warranted in, and which may, one day or other, be the means of bringing some of them to punishment.

I shall enumerate some of the evils of paper money and conclude with offering means for preventing them.

One of the evils of paper money is, that it turns the whole country into stock jobbers. The precariousness of its value and the uncertainty of its fate continually operate, night and day, to produce this destructive effect. Having no real value in itself it depends for support upon accident, caprice and

party, and as it is the interest of some to depreciate and of others to raise its value, there is a continual invention going on that destroys the morals of the country.

It was horrid to see, and hurtful to recollect, how loose the principles of justice were left, by means of the paper emissions during the war. The experience then had, should be a warning to any assembly how they venture to open such a dangerous door again.

As to the romantic, if not hypocritical, tale that a virtuous people need no gold and silver, and that paper will do as well, it requires no other contradiction than the experience we have seen. Though some well meaning people may be inclined to view it in this light, it is certain that the sharper always talks this language.

There are a set of men who go about making purchases upon credit, and buying estates they have not wherewithal to pay for; and having done this, their next step is to fill the newspapers with paragraphs of the scarcity of money and the necessity of a paper emission, then to have a legal tender under the pretence of supporting its credit, and when out, to depreciate it as fast as they can, get a deal of it for a little price, and cheat their creditors; and this is the concise history of paper money schemes.

But why, since the universal custom of the world has established money as the most convenient medium of traffic and commerce, should paper be set up in preference to gold and silver? The productions of nature are surely as innocent as those of art; and in the case of money, are abundantly, if not infinitely, more so. The love of gold and silver may produce covetousness, but covetousness, when not connected with dishonesty, is not properly a vice. It is frugality run to an extreme.

But the evils of paper money have no end. Its uncertain and fluctuating value is continually awakening or creating new sehemes of deceit. Every principle of justice is put to the rack, and the bond of society dissolved: the suppression, therefore, of paper money might very properly have been put into the act for preventing vice and immorality.

The pretence for paper money has been, that there was not a sufficiency of gold and silver. This, so far from being a reason for paper emissions, is a reason against them.

As gold and silver are not the productions of North America, they are, therefore, articles of importation; and if we set up a paper manufactory of money, it amounts, as far as it is able, to prevent the importation of hard money, or to send it out again as fast as it comes in; and by following this practice we shall continually banish the specie, till we have none left, and be continually complaining of the grievance instead of remedying the cause.

Considering gold and silver as articles of importation, there will in time, unless we prevent it by paper emissions, be as much in the country as the occasions of it require, for the same reasons there are as much of other imported articles. But as every yard of cloth manufactured in the country occasions a yard the less to be imported, so it is by money, with this difference, that in the one case we manufacture the thing itself and in the other we do not. We have cloth for cloth, but we have only paper dollars for silver ones.

As to the assumed authority of any assembly in making paper money, or paper of any kind, a legal tender, or in other language, a compulsive payment, it is a most presumptuous attempt at arbitrary power. There can be no such power in a republican government: the people have no freedom, and property no security where this practice can be acted: and the committee who shall bring in a report for this purpose, or the member who moves for it, and he who seconds it merit impeachment, and sooner or later may expect it.

Of all the various sorts of base coin, paper money is the basest. It has the least intrinsic value of any thing that can be put in the place of gold and silver. A hobnail or a piece of wampum far exceeds it. And there would be more propriety in making those articles a legal tender than to make paper so.

It was the issuing base coin, and establishing it as a tender, that was one of the principal means of finally over-

throwing the power of the Stuart family in Ireland. The article is worth reciting as it bears such a resemblance to the process practised in paper money.

"Brass and copper of the basest kind, old cannon, broken bells, household utensils were assiduously collected; and from every pound weight of such vile materials, valued at four-pence, pieces were coined and circulated to the amount of five pounds normal value. By the first proclamation they were made current in all payments to and from the king and the subjects of the realm, except in duties on the importation of foreign goods, money left in trust, or due by mortgage, bills or bonds; and James promised that when the money should be decried, he would receive it in all payments, or make full satisfaction in gold and silver. The nominal value was afterwards raised by subsequent proclamations, the original restrictions removed, and this base money was ordered to be received in all kinds of payments. As brass and copper grew scarce, it was made of still viler materials, of tin and pewter, and old debts of one thousand pounds were discharged by pieces of vile metal amounting to thirty shillings in intrinsic value." *

Had king James thought of paper, he needed not to have been at the trouble or expense of collecting brass and copper, broken bells, and household utensils.

The laws of a country ought to be the standard of equity, and calculated to impress on the minds of the people the moral as well as the legal obligations of reciprocal justice. But tender laws, of any kind, operate to destroy morality, and to dissolve, by the pretence of law, what ought to be the principle of law to support, reciprocal justice between man and man: and the punishment of a member who should move for such a law ought to be *death*.[1]

When the recommendation of congress, in the year 1780, for repealing the tender laws was before the assembly of Pennsylvania, on casting up the votes, for and against bringing in a bill to repeal those laws, the numbers were equal,

* Leland's History of Ireland, vol. iv. p. 265.—*Author.*

[1] It is a curious indication of the tension caused by the bank controversy that a man of Quaker training could make such a statement as the above. A few years later Paine is found advocating abolition of the death-penalty, even for treason against the state, for which some would reserve it.—*Editor.*

and the casting vote rested on the speaker, colonel Bayard. "I give my vote," said he, "for the repeal, from a consciousness of justice; the tender laws operate to establish iniquity by law." But when the bill was brought in, the house rejected it, and the tender laws continued to be the means of fraud.

If any thing had, or could have, a value equal to gold and silver, it would require no tender law: and if it had not that value it ought not to have such a law; and, therefore, all tender laws are tyrannical and unjust, and calculated to support fraud and oppression.

Most of the advocates for tender laws are those who have debts to discharge, and who take refuge in such a law, to violate their contracts and cheat their creditors. But as no law can warrant the doing an unlawful act, therefore the proper mode of proceeding, should any such laws be enacted in future, will be to impeach and execute the members who moved for and seconded such a bill, and put the debtor and the creditor in the same situation they were in, with respect to each other, before such a law was passed. Men ought to be made to tremble at the idea of such a barefaced act of injustice. It is in vain to talk of restoring credit, or complain that money cannot be borrowed at legal interest, until every idea of tender laws is totally and publicly reprobated and extirpated from among us.

As to paper money, in any light it can be viewed, it is at best a bubble. Considered as property, it is inconsistent to suppose that the breath of an assembly, whose authority expires with the year, can give to paper the value and duration of gold. They cannot even engage that the next assembly shall receive it in taxes. And by the precedent, (for authority there is none,) that one assembly makes paper money, another may do the same, until confidence and credit are totally expelled, and all the evils of depreciation acted over again. The amount, therefore, of paper money is this, that it is the illegitimate offspring of assemblies, and when their year expires, they leave a vagrant on the hands of the public.

Having now gone through the three subjects proposed in

the title to this work, I shall conclude with offering some thoughts on the present affairs of the state.

My idea of a single legislature was always founded on a hope, that whatever personal parties there might be in the state, they would all unite and agree in the general principles of good government—that these party differences would be dropped at the threshold of the statehouse, and that the public good, or the good of the whole, would be the governing principle of the legislature within it.

Party dispute, taken on this ground, would only be, who should have the honour of making the laws; not what the laws should be. But when party operates to produce party laws, a single house is a single person, and subject to the haste, rashness and passion of individual sovereignty. At least, it is an aristocracy.

The form of the present constitution is now made to trample on its principles, and the constitutional members are anti-constitutional legislators. They are fond of supporting the form for the sake of the power, and they dethrone the principle to display the sceptre.

The attack of the late assembly on the bank, discovers such a want of moderation and prudence, of impartiality and equity, of fair and candid inquiry and investigation, of deliberate and unbiassed judgment, and such a rashness of thinking and vengeance of power, as is inconsistent with the safety of the republic. It was judging without hearing, and executing without trial.

By such rash, injudicious and violent proceedings, the interest of the state is weakened, its prosperity diminished, and its commerce and its specie banished to other places. Suppose the bank had not been in an immediate condition to have stood such a sudden attack, what a scene of instant distress would the rashness of that assembly have brought upon this city and state. The holders of bank notes, whoever they might be, would have been thrown into the utmost confusion and difficulties. It is no apology to say the house never thought of this, for it was their duty to have thought of every thing.

But by the prudent and provident management of the bank, (though unsuspicious of the attack,) it was enabled to stand the run upon it without stopping payment a moment, and to prevent the evils and mischiefs taking place which the rashness of the assembly had a direct tendency to bring on; a trial that scarcely a bank in Europe, under a similar circumstance, could have withstood.

I cannot see reason sufficient to believe that the hope of the house to put down the bank was placed on the withdrawing the charter, so much as on the expectation of producing a bankruptcy of the bank, by starting a run upon it. If this was any part of their project it was a very wicked one, because hundreds might have been ruined to gratify a party spleen.

But this not being the case, what has the attack amounted to, but to expose the weakness and rashness, the want of judgment as well as justice, of those who made it, and to confirm the credit of the bank more substantially than it was before?

The attack, it is true, has had one effect, which is not in the power of the assembly to remedy; it has banished many thousand hard dollars from the state. By the means of the bank, Pennsylvania had the use of a great deal of hard money belonging to citizens of other states, and that without any interest, for it laid here in the nature of deposit, the depositors taking bank notes in its stead. But the alarm called those notes in and the owners drew out their cash.

The banishing the specie served to make room for the paper money of the assembly, and we have now paper dollars where we might have had silver ones. So that the effect of the paper money has been to make less money in the state than there was before.[1] Paper money is like dram-drinking, it relieves for a moment by deceitful sensation, but gradually diminishes the natural heat, and leaves the body

[1] The reader may be reminded of the humorous scene in Goethe's "Faust," Part Second, where Mephistopheles fills the empty Treasury by simple expedient of a printing-press, and the Court fool shows his sagacity by hastening to spend all the paper money he possesses.—*Editor*

worse than it found it. Were not this the case, and could money be made of paper at pleasure, every sovereign in Europe would be as rich as he pleased. But the truth is, that it is a bubble and the attempt vanity. Nature has provided the proper materials for money, gold and silver, and any attempt of ours to rival her is ridiculous.

But to conclude. If the public will permit the opinion of a friend who is attached to no party, and under obligation to none, nor at variance with any, and who through a long habit of acquaintance with them has never deceived them, that opinion shall be freely given.

The bank is an institution capable of being made exceedingly beneficial to the state, not only as the means of extending and facilitating its commerce, but as a means of increasing the quantity of hard money in the state. The assembly's paper money serves directly to banish or crowd out the hard, because it is issued *as* money and put in the place of hard money. But bank notes are of a very different kind, and produce a contrary effect. They are promissory notes payable on demand, and may be taken to the bank and exchanged for gold or silver without the least ceremony or difficulty.

The bank, therefore, is obliged to keep a constant stock of hard money sufficient for this purpose; which is what the assembly neither does, nor can do by their paper; because the quantity of hard money collected by taxes into the treasury is trifling compared with the quantity that circulates in trade and through the bank.

The method, therefore, to increase the quantity of hard money would be to combine the security of the government and the bank into one. And instead of issuing paper money that serves to banish the specie, to borrow the sum wanted of the bank in bank notes, on the condition of the bank exchanging those notes at stated periods and quantities, with hard money.

Paper issued in this manner, and directed to this end, would, instead of banishing, work itself into gold and silver; because it will then be both the advantage and duty of the bank,

and of all the mercantile interests connected with it, to procure and import gold and silver from any part of the world, to give in exchange for the notes. The English bank is restricted to the dealing in no other articles of importation than gold and silver, and we may make the same use of our bank if we proceed properly with it.

Those notes will then have a double security, that of the government and that of the bank: and they will not be issued *as* money, but as hostages to be exchanged for hard money, and will, therefore, work the contrary way to what the paper of the assembly, uncombined with the security of the bank, produces: and the interest allowed the bank will be saved to government, by a saving of the expenses and charges attending paper emissions.

It is, as I have already observed in the course of this work, the harmony of all the parts of a republic, that constitutes their several and mutual good. A government that is constructed only to govern, is not a republican government. It is combining authority with usefulness, that in a great measure distinguishes the republican system from others.

Paper money appears, at first sight, to be a great saving, or rather that it costs nothing; but it is the dearest money there is. The ease with which it is emitted by an assembly at first, serves as a trap to catch people in at last. It operates as an anticipation of the next year's taxes. If the money depreciates, after it is out, it then, as I have already remarked, has the effect of fluctuating stock, and the people become stock-jobbers to throw the loss on each other. If it does not depreciate, it is then to be sunk by taxes at the price of *hard money;* because the same quantity of produce, or goods, that would procure a paper dollar to pay taxes with, would procure a silver one for the same purpose. Therefore, in any case of paper money, it is dearer to the country than hard money, by all the expense which the paper, printing, signing, and other attendant charges come to, and at last goes into the fire.

Suppose one hundred thousand dollars in paper money to be emitted every year by the assembly, and the same sum to

be sunk every year by taxes, there will then be no more than one hundred thousand dollars out at any one time. If the expense of paper and printing, and of persons to attend the press while the sheets are striking off, signers, etc. be five per cent. it is evident that in the course of twenty years' emissions, the one hundred thousand dollars will cost the country two hundred thousand dollars. Because the papermaker's and printer's bills, and the expense of supervisors and signers, and other attendant charges, will in that time amount to as much as the money amounts to; for the successive emissions are but a re-coinage of the same sum.

But gold and silver require to be coined but once, and will last an hundred years, better than paper will one year, and at the end of that time be still gold and silver. Therefore, the saving to government, in combining its aid and security with that of the bank in procuring hard money, will be an advantage to both, and to the whole community.

The case to be provided against, after this, will be, that the government do not borrow too much of the bank, nor the bank lend more notes than it can redeem; and, therefore, should any thing of this kind be undertaken, the best way will be to begin with a moderate sum, and observe the effect of it. The interest given the bank operates as a bounty on the importation of hard money, and which may not be more than the money expended in making paper emissions.

But nothing of this kind, nor any other public undertaking, that requires security and duration beyond the year, can be gone upon under the present mode of conducting government. The late assembly, by assuming a sovereign power over every act and matter done by the state in former assemblies, and thereby setting up a precedent of overhauling, and overturning, as the accident of elections shall happen or party prevail, have rendered government incompetent to all the great objects of the state. They have eventually reduced the public to an annual body like themselves; whereas the public are a standing, permanent body, holding annual elections.

There are several great improvements and undertakings,

such as inland navigation, building bridges, opening roads of communication through the state, and other matters of a public benefit, that might be gone upon, but which now cannot, until this governmental error or defect is remedied. The faith of government, under the present mode of conducting it, cannot be relied on. Individuals will not venture their money in undertakings of this kind, on an act that may be made by one assembly and broken by another. When a man can say that he cannot trust the government, the importance and dignity of the public is diminished, sapped and undermined ; and, therefore, it becomes the public to restore their own honour by setting these matters to rights.

Perhaps this cannot be effectually done until the time of the next convention, when the principles, on which they are to be regulated and fixed, may be made a part of the constitution.

In the mean time the public may keep their affairs in sufficient good order, by substituting prudence in the place of authority, and electing men into the government, who will at once throw aside the narrow prejudices of party, and make the good of the whole the ruling object of their conduct. And with this hope, and a sincere wish for their prosperity, I close my book.[1]

[1] It was generally admitted that Paine's pamphlet was the means of defeating the Assembly's effort to repeal the charter of the Bank of North America, and the author suffered some martyrdom in consequence. Dr. Franklin believed that Paine could successfully deal with the subject and was not disappointed. See my "Life of Paine," vol i., pp. 213, 215, and ii., p. 466.—*Editor.*

VII.

THE SOCIETY FOR POLITICAL INQUIRIES.[1]

THE moral character and happiness of mankind are so interwoven with the operations of government, and the progress of the arts and sciences is so dependent on the nature of our political institutions, that it is essential to the advancement of civilized society to give ample discussion to these topics.

But important as these inquiries are to all, to the inhabitants of these republics they are objects of peculiar magnitude and necessity. Accustomed to look up to those nations, from whom we have derived our origin, for our laws, our opinions, and our manners, we have retained with undistinguishing reverence their errors with their improvements; have blended with our public institutions the policy of dissimilar countries; and have grafted on an infant commonwealth the manners of ancient and corrupted monarchies. In having effected a separate government, we have as yet effected but a partial independance. The revolution can only be said to be complete, when we shall have freed ourselves, no less from the influence of foreign prejudices than from the fetters of foreign power. When breaking through the bounds, in which a dependent people have been accustomed to think and act, we shall probably comprehend the character

[1] Unpublished "Rules and Regulations of the Society for Political Inquiries, established at Philadelphia, 9th Feb. 1787." This Society met at Dr. Franklin's house, where Paine read a paper, described by William Rawle as "a well-written dissertation on the inexpediency of incorporating towns." The paper was no doubt used in "Rights of Man," ii., ch. 5. Several passages in the same work suggest Paine's probable authorship of the above Preamble.—*Editor.*

we have assumed and adopt those maxims of policy, which are suited to our new situation. While objects of subordinate importance have employed the associated labours of learned and ingenious men, the arduous and complicated science of government has been generally left to the care of practical politicians, or the speculations of individual theorists. From a desire of supplying this deficiency, and of promoting the welfare of our country, it is now proposed to establish a society for mutual improvement in the knowledge of government, and for the advancement of political science.

With these views, the subscribers associate themselves under the title of THE SOCIETY FOR POLITICAL INQUIRIES, and under the following laws and regulations.

LAWS AND REGULATIONS.

I. This Society shall consist of fifty residing members, and shall meet every Friday fortnight, at half past six o'clock in the evening (the chair to be taken precisely at seven) except during the months of June, July, August and September, when their meetings shall be discontinued.

II. There shall be a president, two vice-presidents, a treasurer, and two secretaries, who shall be elected annually by ballot on the second Friday in February.

III. Persons residing at a distance shall be eligible into the Society as honorary members, but shall not be entitled to the privilege of electing.

IV. Every candidate for admission shall be proposed by at least two residing members, who shall give in his name in writing with their own subscribed to it. After which one of the acting secretaries shall read aloud the name of the candidate as well as of the nominating members, at two successive meetings previous to the election.

V. Every election shall be conducted by ballot, twelve members at least being present; and the votes of three-fourths of the number present, shall be necessary to the admission of the candidate.

VI. Each residing member shall pay twenty shillings on his admission, as well as fifteen shillings annually, towards the expences of the Society.

VII. A committee of papers shall be appointed annually by

ballot, on the same evening that the officers of the Society are elected. This committee shall consist of the president, vice-presidents, and six other members of the Society, and shall decide on the propriety of reading or publishing any paper which shall be presented to the Society. But they shall not proceed to any decision unless five of their number are present. Nor shall any essay, or the name of its author be published, without previously obtaining his consent.

VIII. The attention of the Society shall be confined to subjects of *government and political œconomy*. And members having any essays, facts, or observations on these subjects, that they wish to have read in the Society, or any political queries that they may be desirous of having discussed in conversation, shall give the same into the hands of the president or vice-president who shall communicate the same to the Committee of papers and take order thereon.

IX. The president or vice-president shall announce to the Society, what papers are to be read, and what subjects to be discussed at their next meeting.

X. A fair record shall be kept of the proceedings of the Society, which shall be open to the inspection of the members.

XI. Medals shall be adjudged at the discretion of the Society to the authors (whether members or not) of the best essays upon such subjects as the Society may propose for that purpose. The votes in these cases shall be taken by ballot.

XII. If any person to whom a medal shall be adjudged, should not be a member of the Society, he shall be included in the list of honorary members.

XIII. The president or vice-president shall have power to call at any time a special meeting of the Society.

XIV. The Society shall be subject to such laws and regulations as shall be made from time to time. But no laws shall be enacted, rescinded or altered without the presence of twelve members, and without the consent of three-fourths of the number present: Nor shall any such measures be proposed, without notice has been previously given at two successive meetings of the alterations or additions intended to be made.

XV. There shall be a penalty of one shilling paid by every member not attending at any meeting, either stated or special, provided he be not out of town or confined by sickness.

VIII.

PROSPECTS ON THE RUBICON:

OR AN INVESTIGATION INTO THE CAUSES AND CONSEQUENCES OF THE POLITICS TO BE AGITATED AT THE NEXT MEETING OF PARLIAMENT.[1]

PREFACE.

AN expression in the British parliament respecting the American war, alluding to Julius Cæsar having passed the Rubicon, has on several occasions introduced that river as the figurative river of war.

Fortunately for England, she is yet on the peaceable side of the Rubicon; but as the flames once kindled are not always easily extinguished, the hopes of peace are not so clear as before the late mysterious dispute began.

But while the calm lasts, it may answer a very good purpose to take a view of the prospects, consistent with the maxim, that he that goeth to war should first sit down and count the cost.

The nation has a young and ambitious Minister at its head, fond of himself, and deficient in experience: and instances have often shown that judgment is a different thing from

[1] This pamphlet was written in Paris, where Paine arrived from America in May, 1787, and where he was in constant intercourse with Jefferson (United States Minister), Condorcet, Lafayette, Cardinal De Brienne, and other eminent men. The date, August 20, is no doubt that of the conclusion of the manuscript, for he arrived in London September 3; but much was probably added to the proofs, which were read at his mother's home in Thetford. The house is in Guildhall Street (then Heathenman), now (1894) occupied by Mr. Brett. Dr. Robinet and others have remarked in this pamphlet the prevision of an approaching revolution in France.—*Editor.*

genius, and that the affairs of a nation are but unsafely trusted where the benefit of experience is wanting.

Illustrations have been drawn from the circumstances of the war before last to decorate the character of the present Minister, and, perhaps, they may have been greatly overdrawn; for the management must have been bad to have done less than what was then done, when we impartially consider the means, the force, and the money employed.

It was then Great Britain and America against France singly, for Spain did not join till near the end of the war. The great number of troops which the American colonies then raised and paid themselves, were sufficient to turn the scale, if all other parts had been equal. France had not at that time attended to naval affairs so much as she has done since; and the capture of French sailors before any declaration of war was made, which, however it may be justified upon policy, will always be ranked among the clandestine arts of war, assured a certain, but unfair advantage against her, because it was like a man administering a disabling dose over night to the person whom he intends to challenge in the morning.

THE AUTHOR.

PUBLISHER'S NOTE TO THE ENGLISH EDITION OF 1793.

This pamphlet was written by Mr. Paine in the year 1787, on one of Mr. Pitt's armaments, namely, that against Holland. His object was to prevent the people of England from being seduced into a war, by stating clearly to them the consequences which would inevitably befall the credit of this country should such a calamity take place. The minister has at length, however, succeeded in his great project, after three expensive armaments in the space of seven years; and the event has proved how well founded were the predictions of Mr. Paine. The person who has the authority to bring forward this pamphlet in its present shape, thinks his doing so a duty which he owes both to Mr. P——— and the people of England, in order that the latter may judge what credit is due to (what a great judge calls) THE WILD THEORIES OF MR. PAINE.

PROSPECTS ON THE RUBICON.

RIGHT by chance and wrong by system are things so frequently seen in the political world, that it becomes a proof of prudence neither to censure nor applaud too soon.

"The Rubicon is passed," was once given as a reason for prosecuting the most expensive war that England ever knew. Sore with the event, and groaning beneath a galling yoke of taxes, she has again been led ministerially on to the shore of the same delusive and fatal river, without being permitted to know the object or the reason why.

Expensive preparations have been gone into; fears, alarms, dangers, apprehensions, have been mistically held forth, as if the existence of the nation was at stake, and at last the mountain has brought forth a Dutch mouse.

Whoever will candidly review the present national characters of England and France, cannot but be struck with surprize at the change that is taking place. The people of France are beginning to think for themselves, and the people of England are resigning up the privilege of thinking.

The affairs of Holland have been the bubble of the day; and a tax is to be laid on shoes and boots (so say the newspapers) for the service of the Stadtholder of Holland. This will undoubtedly do honour to the nation, by veryfying the old English proverb, "Over shoes, over boots."

But tho' Democritus could scarcely have forborne laughing at the folly, yet, as serious argument and sound reasoning are preferable to ridicule, it will be best to quit the vein of unprofitable humour, and give the cause a fair investigation. But before we do this, it may not be improper to take a general review of sundry political matters that will naturally lead to a better understanding of the subject.

What has been the event of all the wars of England, but an amazing accumulation of debt, and an unparalleled burden of taxes? Sometimes the pretence has been to support one outlandish cause, and sometimes another. At one time Austria, at another time Prussia, another to oppose Russia, and so on; but the consequence has always been TAXES. A few men have enriched themselves by jobs and contracts, and the groaning multitude bore the burthen. What has England gained by war since the year 1738, only fifty years ago, to recompence her for TWO HUNDRED MILLIONS sterling, incurred as a debt within that time, and under the annual interest of which, besides what was incurred before, she is now groaning? Nothing at all.

The glare of fancied glory has often been held up, and the shadowy recompence imposed itself upon the senses. Wars that might have been prevented have been madly gone into, and the end has been debt and discontent. A sort of something which man cannot account for is mixed in his composition, and renders him the subject of deception by the very means he takes not to be deceived.

That jealousy which individuals of every nation feel at the supposed design of foreign powers, fits them to be the prey of Ministers, and of those among themselves whose trade is war, or whose livelihood is jobs and contracts. "Confusion to the politics of Europe, and may every nation be at war in six months," was a toast given in my hearing not long since.—The man was in court to the Ministry for a job. —Ye gentle Graces, if any such there be who preside over human actions, how must ye weep at the viciousness of man!

When we consider, for the feelings of Nature cannot be dismissed, the calamities of war and the miseries it inflicts upon the human species, the thousands and tens of thousands of every age and sex who are rendered wretched by the event, surely there is something in the heart of man that calls upon him to think! Surely there is some tender chord tuned by the hand of its Creator, that struggles to emit in the hearing of the soul a note of sorrowing sympathy. Let

it then be heard, and let man learn to feel, that the true greatness of a nation is founded on the principles of humanity; and that to avoid a war when our own existence is not endangered, and wherein the happiness of man must be wantonly sacrificed, is a higher principle of true honour than madly to engage in it.

But independent of all civil and moral considerations, there is no possible event that a war could produce benefits to England or France, on the present occasion, that could in the most distant proportion recompence to either the expence she must be at. War involves in its progress such a train of unforeseen and unsupposed circumstances, such a combination of foreign matters, that no human wisdom can calculate the end. It has but one thing certain, and that is increase of TAXES. The policy of European courts is now so cast, and their interests so interwoven with each other, that however easy it may be to begin a war, the weight and influence of interfering nations compel even the conqueror to unprofitable conditions of peace.

Commerce and maritime strength are now becoming the fashion, or rather the rage of Europe, and this naturally excites in them a combined wish to prevent either England or France increasing its comparative strength by destroying, or even relatively weakening, the other, and therefore whatever views each may have at the commencement of a war, new enemies will arise as either gains the advantage, and continued obstacles ensue to embarrass success.

The greatness of Lewis the Fourteenth made Europe his enemy, and the same cause will produce the same consequence to any other European power. That nation, therefore, is only truly wise, who, contenting herself with the means of defence, creates to herself no unnecessary enemies by seeking to be greater than the system of Europe admits. The Monarch or the Minister who exceeds this line, knows but little of his business. It is what the poet on another occasion calls—

"The point where sense and nonsense join."

Perhaps there is not a greater instance of the folly of calculating upon events, than are to be found in the treaties of alliance. As soon as they have answered the immediate purpose of either of the parties they are but little regarded. Pretences afterwards are never wanting to explain them away, nor reasons to render them abortive. And if half the money which nations lavish on speculative alliances were reserved for their own immediate purpose, whenever the occasion shall arrive, it would be more productively and advantageously employed.

Monarchs and Ministers, from ambition or resentment, often contemplate to themselves schemes of future greatness, and set out with what appears to them the fairest prospect: In the meanwhile, the great wheel of time and fate revolves unobserved, and something never dreamed of turns up and blasts the whole. A few fancied or unprofitable laurels supply the absence of success, and the exhausted nation is HUZZA'D INTO NEW TAXES.

The politics and interests of European Courts are so frequently varying with regard to each other, that there is no fixing even the probability of their future conduct. But the great principle of alliancing seems to be but little understood, or little cultivated in Courts, perhaps the least of all, in that of England.—No alliance can be operative that does not embrace within itself, not only the attachment of the Sovereigns, but the real interest of the nations.

The alliance between France and Spain, however it may be spoken of as a mere family compact, derives its greatest strength from national interest. The mines of Peru and Mexico are the soul of this alliance. Were those mines extinct, the family compact would most probably dissolve.

There exists not a doubt in the mind of Spain, what part England would act, respecting those mines, could she demolish the maritime power of France; and therefore the interest of Spain feels itself continually united with France. Spain has high ideas of honour, but has not the same ideas of English honour. They consider England as wholly governed by principles of interest, and that whatever she

thinks it her interest to do, and supposes she has the power of doing, she makes very little ceremony of attempting. But this is not all—There is not a nation in Europe but what is more satisfied that those mines should be in the possession of Spain, than in that of any other European nation; because the wealth of those mines, sufficient to ruin Europe in the hands of some of its powers, is innocently employed with respect to Europe, and better and more peaceably distributed among them all, through the medium of Spain, than it would be through that of any other nation. This is one of the secret causes that combine so large a part of Europe in the interest of France, because they cannot but consider her as a standing barrier to secure to them the free and equal distribution of this wealth throughout all the dominions of Europe.

This alliance of interest is likewise one of the unseen cements that prevents Spain and Portugal, two nations not very friendly to each other, proceeding to hostilities. They are both in the same situation, and, whatever their dislikes may be, they cannot fail to consider that by giving way to resentment that would weaken and exhaust themselves, each would be exposed a prey to some stronger power.

In short, this alliance of national interest is the only one that can be trusted, and the only one that can be operative. All other alliances formed on the mere will and caprice of Sovereigns, of family connections, uncombined with national interests, are but the quagmire of politics, and never fail to become a loss to that nation who wastes its present substance on the expectancy of distant returns.

With regard to Holland, a man must know very little of the matter, not to know that there exists a stronger principle of rivalship between Holland and England in point of commerce, than prevails between England and France in point of power: and, therefore, whenever a Stadtholder of Holland shall see it his interest to unite with the principle of his country, and act in concert with the sentiments of the very people who pay him for his services, the means now taken by England to render him formidable, will operate contrary to the political expectations of the present day.

Circumstances will produce their own natural effects, and no other, let the hopes or expectations of man be what they may. It is not our doing a thing with a design that it shall answer such or such an end, that will cause it to produce that end; the means taken must have a natural ability and tendency within themselves to produce no other, for it is this, and not our wishes of policy, that governs the event.

The English Navigation Act was levelled against the interest of the Dutch as a whole nation, and therefore it is not to be supposed that the catching at the accidental circumstances of one man, as in the case of the present Stadtholder, can combine the interest of that country with this. A few years, perhaps a less time, may remove him to the place where all things are forgotten, and his successor, contemplating his father's troubles, will be naturally led to reprobate the means that produced them, and to repose himself on the interests of his country, in preference to the accidental and tumultuous assistance of exterior power.

England herself exhibits at this day a species of this kind of policy. The present reign, by embracing the Scotch, has tranquillized and conciliated the spirit that disturbed the two former reigns. Accusations were not wanting at that time to reprobate the policy as tinctured with ingratitude towards those who were the immediate means of the Hanover succession. The brilliant pen of Junius was drawn forth, but in vain. It enraptured without convincing; and tho' in the plenitude of its rage it might be said to give elegance to bitterness, yet the policy survived the blast.[1]

What then will be the natural consequence of this expence, on account of the Stadtholder, or of a war entered into from that cause? Search the various windings and caverns of the human heart, and draw from thence the most probable conclusion, for this is more to be depended upon than the projects or declarations of Ministers.

It may do very well for a paragraph in a miserable common news-paper, or the wild effusions of romantic politicians,

[1] It is strange that in the face of this allusion the notion should spring up that Paine was "Junius."—*Editor*.

or the mercenary views of those who wish for war on any occasion, merely for the sake of jobs and contracts, to talk of French finesse or French intrigue; but the Dutch are not a people to be impressed by the finesse or intrigue of France or England, or any other nation. If there has been any finesse in the case, it has been between the electorate of Hanover, the king of Prussia, and the Stadtholder, in which it is most probable the people of England will be finessed out of a sum of money.

The Dutch, as is already observed, are not a people open to the impression of finesse. It is lost upon them. They are impressed by their commercial interest. It is the political soul of their country, the spring of their actions, and when this principle coincides with their ideas of freedom, it has all the impulse a Dutchman is capable of feeling.

The Opposition in Holland were the enemies of the Stadtholder, upon a conviction that he was not the friend of their national interests. They wanted no other impulse but this. Whether this defect in him proceeded from foreign attachment, from bribery or corruption, or from the well known defects of his understanding is not the point of inquiry. It was the effect rather than the cause that irritated the Hollanders.

If the Stadtholder made use of the power he held in the government to expose and endanger the interests and property of the very people who supported him, what other incentive does any man in any country require? If the Hollanders conceived the conduct of the Stadtholder injurious to their national interest, they had the same right to expel him which England had to expel the Stuarts; and the interference of England to re-establish him serves only to confirm in the Hollanders the same hatred against England which the attempt of Lewis XIV. to re-establish the Stuarts caused in England against France; therefore if the present policy is intended to attach Holland to England, it goes on a principle exceedingly erroneous.

Let us now consider the situation of the Stadtholder, as making another part of the question.

He must place the cause of his troubles to some secret influence which governed his conduct during the late war, or, in other words, that he was suspected of being the tool of the then British Administration. Therefore, as every part of an argument ought to have its weight, instead of charging the French with intriguing with the Hollanders, the charge more consistently lies against the British Ministry for intriguing with the Stadtholder, and endangering the nation in a war without a sufficient object. That which the Ministry are now doing confirms the suspicion, and explains to the Hollanders that collusion of the Stadtholder, against their national interests, which he must wish to have concealed, and the explanation does him more hurt than the unnecessary parade of service has done him good.

Nothing but necessity should have operated with England to appear openly in a case that must put the Stadtholder on still worse terms with his countrymen. Had France made any disposition for war, had she armed, had she made any one hostile preparation, there might then have been some pretence for England taking a step that cannot fail to expose to the world that the suspicions of the Hollanders against the Stadtholder were well founded, and that their cause was just, however unsuccessful has been the event.

As to the consequence of Holland in the scale of Europe, (the great stake, says some of the news-papers, for which England is contending) that is naturally pointed out by her condition: As merchants for other nations her interest dictates to her to be a neutral power, and this she always will be unless she is made war upon, as was the case in the last war; and any expectation beyond what is the line of her interest, that is, beyond neutrality, either in England or France, will prove abortive. It therefore cannot be policy to go to war to effect that at a great expence, which will naturally happen of itself, and beyond which there is nothing to expect.

Let Holland be allied with England or with France, or with neither, or with both, her national conduct, consequently arising out of her circumstances, will be nearly the same, that

is, she will be neutral. Alliances have such a natural tendency to sink into harmless unoperative things, that to make them a cause for going to war, either to prevent their being formed, or to break any already formed, is the silliest speculation that war can be made upon, or wealth wasted to accomplish. It would scarcely be worth the attempt, if war could be carried on without expence, because almost the whole that can be hoped at the risk and expence of a war, is effected by their natural tendency to inactivity.

However pompous the declarations of an alliance may be, the object of many of them is no other than good-will, and reciprocally securing, as far as such security can go, that neither shall join the enemies of the other in any war that may happen. But the national circumstances of Holland, operate to insure this tranquillity on her part as effectually to the power she is not allied with, as the engagement itself does to the power with whom she is allied; therefore the security from circumstances is as good as the security from engagement.

As to a cordial union of interest between Holland and England, it is as unnatural to happen as between two individual rivals in the same trade: And if there is any step that England could take to put it at a still greater distance, it is the part she is now acting. She has increased the animosity of Holland on the speculative politics of interesting the Stadtholder, whose future repose depends upon uniting with the Opposition in Holland, as the present reign did with the Scotch. How foolish then has been the policy, how needless the expence of engaging in a war on account of the affairs of Holland.

A cordiality between England and France is less improbable than between England and Holland. It is not how an Englishman feels but how a Dutchman feels, that decides this question. Between England and France there is no real rivalship of interest; it is more the effect of temper, disposition, and the jealousy of confiding in each other, than any substantial cause, that keeps up the animosity. But on the part of Holland towards England, there is over and

above the spirit of animosity, the more powerful motives of interested commercial rivalship, and the galling remembrance of past injuries. The making war upon them under Lord North's administration, when they were taking no part in the hostilities, but merely acting the business of merchants, is a circumstance that will not easily be forgotten by them. On these reasons, therefore, which are naturally deduced from the operative feelings of mankind, any expectation of attaching Holland to England, as a friendly power, is vague and futile. Nature has her own way of working in the heart, and all plans of politics not founded thereon will disappoint themselves.

Any one who will review the history of English politics for several years past, must perceive they have been directed without system. To establish this, it is only necessary to examine one circumstance, fresh in the mind of every man.

The American war was prosecuted at a very great expence, on the publicly declared opinion, that the retaining America was necessary to the existence of England; but America being now separated from England, the present politics are, that she is better without her than with her. Both these cannot be true, and their contradiction to each other shows want of system. If the latter is true, it amounts to an impeachment of the political judgment of government, because the discovery ought to have been made before the expence was gone into. This single circumstance, yet fresh in every man's mind, is sufficient to create a suspicion, whether the present measures are more wisely founded than the former ones; and whether experience may not prove, that going to war for the sake of the Stadtholder, or for the hope of retaining a partial interest in Holland, who under any connection, can from circumstances be no more than a neutral power, is not as weak policy as going to war to retain America.

If England is powerful enough to maintain her own ground and consequence in the world as an independent nation, she needs no foreign connection. If she is not, the fact contradicts the popular opinion that she is. There-

fore, either her politics are wrong, or her true condition is not what she supposes it to be. Either she must give up her opinion to justify her politics, or renounce her politics to vindicate her opinion.

If some kind of connection with Holland is supposed to be an object worthy some expence to obtain, it may be asked why was that connection broken by making war upon her in the last war? If it was not then worth preserving without expence, is it now worth re-obtaining at a vast expence? If the Hollanders do not like the English, can they be made to like them against their wills? If it shall be said that under the former connection they were unfriendly, will they be more friendly under any other? They were then in as free a situation to chuse as any future circumstances can make them, and, therefore, the national governing sentiment of the country can be easily discovered; for it signifies not what or who a Stadtholder may be, that which governs Holland is, and always must be, a commercial principle, and it will follow this line in spite of politics. Interest is as predominant and as silent in its operations as love; it resists all the attempts of force, and countermines all the stratagem of controul.

The most able English Statesmen and Politicians have always held it as a principle, that foreign connections served only to embarrass and exhaust England. That, surrounded by the ocean, she could not be invaded, as countries are on the Continent of Europe, and that her insular situation dictated to her a different system of politics to what those countries required, and that to be enleagued with them was sacrificing the advantages of situation to a capricious system of politics. That tho' she might serve them they could not much serve her, and that as the service must at all times be paid for, it could always be procured when it was wanted; and that it would be better to take it up in this line than to embarrass herself with speculative alliances that served rather to draw her into a Continental war on their account, than extricate her from a war undertaken on her own account.

From this discussion of the affairs of Holland, and of the inadequacy of Holland as an object of war, we will proceed to show that neither England nor France are in a condition to go to war, and that there is no present object to the one or the other to recompence the expence that each must be at, or atone to the subjects of either for the additional burthens that must be brought upon them. I defend the cause of the poor, of the manufacturers, of the tradesmen, of the farmer, and of all those on whom the real burthen of taxes fall—but above all, I defend the cause of humanity.

It will always happen, that any rumour of war will be popular among a great number of people in London. There are thousands who live by it; it is their harvest; and the clamour which those people keep up in news-papers and conversations passes unsuspiciously for the voice of the people, and it is not till after the mischief is done, that the deception is discovered.

Such people are continually holding up, in very magnified terms, the wealth of the nation, and the depressed condition of France, as reasons for commencing a war, without knowing any thing of either of these subjects.

But admitting them to be as true as they are false, as will be hereafter shown, it certainly indicates a vileness in the national disposition of any country, that will make the accidental internal difficulties to which all nations are subject, and sometimes encumbered with, a reason for making war upon them. The amazing encrease and magnitude of the paper currency now floating in all parts of England, exposes her to a shock as much more tremendous than the shock occasioned by the bankruptcy of the South Sea funds, as the quantity of credit and paper currency is now greater than they were at that time. Whenever such a circumstance shall happen, and the wisest men in the nation are, and cannot avoid being, impressed with the danger, it would be looked upon as baseness in France to make the distress and misfortune of England a cause and opportunity for making war upon her, yet this hideous infidelity is publicly avowed in England. The bankruptcy of 1719 was precipi-

tated by the great credit which the funds then had, and the confidence which people placed in them. Is not credit making infinitely greater strides now than it made then? Is not confidence equally as blind now as at that day? The people then supposed themselves as wise as they do now, yet they were miserably deceived, and the deception that has once happened will happen again from the same causes.

Credit is not money, and therefore it is not pay, neither can it be put in the place of money in the end. It is only the means of getting into debt, not the means of getting out, otherwise the national debt could not accumulate; and the delusion which nations are under respecting the extention of credit is exactly like that which every man feels respecting life, the end is always nearer than was expected; and we become bankrupts in time by the same delusion that nations become bankrupts in property.

The little which nations know, or are sometimes willing to know, of each other, serves to precipitate them into wars which neither would have undertaken, had they fully known the extent of the power and circumstances of each other; it may therefore be of some use to place the circumstances of England and France in a comparative point of view.

In order to do this the accidental circumstances of a nation must be thrown out of the account. By accidental circumstances is meant, those temporary disjointings and derangements of its internal system which every nation in the world is subject to, and which, like accidental fits of sickness in the human body, prevent in the interim the full exertion and exercise of its natural powers.

The substantial basis of the power of a nation arises out of its population, its wealth, and its revenues. To these may be added the disposition of the people. Each of these will be spoken of as we proceed.

Instances are not wanting to show that a nation confiding too much on its natural strength, is less inclined to be active in its operations than one of less natural powers who is obliged to supply that deficiency by encreasing its exertions.

This has often been the case between England and France. The activity of England, arising from its fears, has sometimes exceeded the exertions of France reposing on its confidence.

But as this depends on the accidental disposition of a people, it will not always be the same. It is a matter well known to every man who has lately been in France, that a very extraordinary change is working itself in the minds of the people of that nation. A spirit that will render France exceedingly formidable whenever its government shall embrace the fortunate opportunity of doubling its strength by allying, if it may be so expressed (for it is difficult to express a new idea by old terms), the majesty of the Sovereign with the majesty of the nation; for of all alliances that is infinitely the strongest and the safest to be trusted to, because the interest so formed, and operating against external enemies, can never be divided.

It may be taken as a certain rule, that a subject of any country attached to the government on the principles above mentioned, is of twice the value he was before. Freedom in the subject is not a diminution, as was formerly believed, of the power of government, but an increase of it. Yet the progress by which changes of this kind are effected, requires to be nicely attended to.

Were governments to offer freedom to the people, or to show an anxiety for that purpose, the offer most probably would be rejected. The purpose for which it was offered might be mistrusted. Therefore the desire must originate with, and proceed from the mass of the people, and when the impression becomes universal, and not before, is the important moment for the most effectual consolidation of national strength and greatness that can take place.

While this change is working, there will appear a kind of chaos in the nation; but the creation we enjoy arose out of chaos, and our greatest blessings appear to have a confused beginning.

Therefore we may take it for granted, that what has at this moment the appearance of disorder in France, is no more

than one of the links in that great chain of circumstances by which nations acquire the summit of their greatness. The provincial assemblies already begun in France, are as full, or rather a fuller representation of the people than the parliaments of England are.

The French, or, as they were formerly called, the Franks, (from whence came the English word frank and free) were once the freest people in Europe; and as nations appear to have their periodical revolutions, it is very probable they will be so again. The change is already begun. The people of France, as it was before observed, are beginning to think for themselves, and the people of England resigning up the prerogative of thinking.[1]

We shall now proceed to compare the present condition of England and France as to population, revenues and wealth, and show that neither is in a condition of going to war, and that war can end in nothing but loss, and, most probably, a temporary ruin to both nations.

To establish this point so necessary for both nations to be impressed with, a free investigation of all matters connected with it is indispensable: If, therefore, any thing herein advanced shall be disagreeable, it must be justified on the ground that it is better to be known in order to prevent ruin, than to be concealed, when such concealment serves only to hasten the ruin on.

Of POPULATION.—The population of France, being upwards of twenty-four millions, is more than double that of Great Britain and Ireland; besides which France recruits more soldiers in Switzerland than England does in Scotland and Ireland. To this may likewise be added, that England and Ireland are not on the best terms. The suspicion that England governs Ireland for the purpose of keeping her low, to prevent her becoming her rival in trade and manufacturies, will always operate to hold Ireland in a state of sentimental hostility with England.

[1] Dr. Robinet (*Danton Emigré*, p. 7) alludes to these "prophetic" paragraphs, written in the summer of 1787, as due to his personal intimacy with those who presently inaugurated the Revolution. It will be remarked that no overthrow of the French Monarchy is suggested.—*Editor.*

REVENUES.—The revenues of France are twenty-four millions sterling. The revenues of England fifteen millions and an half. The taxes per head in France are twenty shillings sterling; the taxes per head in England are two pounds four shillings and two pence. The national debt of France, including the life annuities (which are two fifths of the whole debt, and are annually expiring) at eleven years purchase, is one hundred and forty-two millions sterling. The national debt of England, the whole of which is on perpetual interest, is two hundred and forty-five millions. The national debt of France contains a power of annihilating itself without any new taxes for that purpose; because it needs no more than to apply the life annuities as they expire to the purchase of the other three-fifths, which are on perpetual interest: But the national debt of England has not this advantage, and therefore the million a year that is to be applied towards the reducing it is so much additional tax upon the people, over and above the current service.

WEALTH.—This is an important investigation: it ought therefore to be heard with patience, and judged of without prejudice.

Nothing is more common than for people to mistake one thing for another. Do not those who are crying up the wealth of the nation mistake a paper currency for riches? To ascertain this point may be one of the means of preventing that ruin which cannot fail to follow by persisting in the mistake.

The highest estimation that is made of the quantity of gold and silver in Britain at this present day is twenty millions: and those who are most conversant with money transactions, believe it to be considerably below that sum. Yet this is no more money than what the nation possessed twenty years ago, and therefore, whatever her trade may be, it has produced to her no profit. Certainly no man can be so unwise as to suppose that encreasing the quantity of bank notes, which is done with as little trouble as printing of newspapers, is national wealth.

The quantity of money in the nation was very well ascer-

tained in the years 1773, '74, and '76, by calling in the light gold coin.

There were upwards of fifteen millions and a half of gold coin then called in, which, with upwards of two millions of heavy guineas that remained out, and the silver coin, made above twenty millions, which is more than there is at this day. There is an amazing increase in the circulation of Bank paper, which is no more national wealth than news-papers are; because an increase of promissary notes, the capital remaining unincreasing, or not increasing in the same proportion, is no increase of wealth. It serves to raise false ideas which the judicious soon discover, and the ignorant experience to their cost.

Out of twenty millions sterling, the present quantity of real money in the nation, it would be too great an allowance to say that one fourth of that sum, which is five millions, was in London. But even admitting this to be the case, it would require no very superior powers to ascertain pretty nearly what proportion of that sum of five millions could be in the Bank. It would be ridiculous to suppose it could be less than half a million, and extravagant to suppose it could be two millions.

It likewise requires no very extraordinary discernment to ascertain how immense the quantity of Bank Notes, compared to the capital in the Bank must be, when it is considered, that the national taxes are paid in Bank Notes, that all great transactions are done in Bank Notes, and that were a loan for twenty millions to be opened at the meeting of Parliament, it would most probably be subscribed in a few days: Yet all men must know the loan could not be paid in money, because it is at least four times greater than all the money in London, including the Bankers and the Bank amount too. In short, every thing shows, that the rage that overrun America, for paper money or paper currency, has reached to England under another name. There it was called Continental Money, and here it is called Bank Notes. But it signifies not what name it bears, if the capital is not equal to the redemption.

There is likewise another circumstance that cannot fail to strike with some force when it is mentioned, because every man that has any thing to do with money transactions will feel the truth of it, tho' he may not before have reflected upon it. It is the embarrassed condition into which the gold coin is thrown by the necessity of weighing it, and by refusing guineas that are even standing weight, and there appears to be but few heavy ones. Whether this is intended to force the Paper Currency into circulation, is not here attempted to be asserted, but it certainly has that effect to a very great degree, because people, rather than submit to the trouble and hazard of weighing, will take paper in preference to money. This was once the case in America.

The natural effect of encreasing and continuing to increase paper currencies is that of banishing the real money. The shadow takes place of the substance till the country is left with only shadows in its hands.

A trade that does not increase the quantity of real money in a country, cannot be styled a profitable trade; yet this is certainly the case with England: and as to credit, of which so much has been said, it may be founded on ignorance or a false belief, as well as on real ability.

In Amsterdam, the money deposited in the Bank is never taken out again. The depositors, when they have debts to pay, transfer their right to the persons to whom they are indebted, and those again proceed by the same practice, and the transfer of the right goes for payment; now could all the money deposited in the Bank of Amsterdam be privately removed away, and the matter be kept a secret, the ignorance, or the belief that the money was still there, would give the same credit as if it had not been removed. In short, credit is often no more than an opinion, and the difference between credit and money is that money requires no opinion to support it.

All the countries in Europe annually increase in their quantity of gold and silver except England. By the registers kept at Lisbon and Cadiz, the two ports into which the gold

and silver from South America are imported, it appears that above eighty millions sterling have been imported within twenty years.* This has spread itself over Europe, and increased the quantity in all the countries on the Continent; yet twenty years ago there was as much gold and silver in England as there is at this time.

The value of the silver imported into Europe exceeds that of the gold, yet every one can see there is no increase of silver coin in England; very little silver coin appearing except what are called Birmingham shillings, which have a faint impression of King William on one side, and are smooth on the other.

In what is the profits of trade to show itself but by increasing the quantity of that which is the object of trade, money? An increase of paper is not an increase of national noney, and the confounding paper and money together, or not attending to the distinction, is a rock that the nation will one day split upon.

Whether the payment of interest to foreigners, or the trade to the East Indies, or the nation embroiling itself in foreign wars, or whether the amount of all the trade which England carries on with different parts of the world, collectively taken, balances itself without profit; whether one or all of these is the cause, why the quantity of money does not encrease in England, is not, in this place the object of enquiry. It is the fact and not the cause that is the matter here treated of.

Men immersed in trade and the concerns of a counting-house are not the most speculative in national affairs, or always the best judges of them. Accustomed to run risks in trade, they are habitually prepared to run risks with Government, and though they are the first to suffer, they are often the last to foresee an evil.

Let us now cast a look towards the manufactures. A great deal has been said of their flourishing condition, and

* From 1763 to 1777, a period of fifteen years of peace, the registered importations of gold and silver into Lisbon and Cadiz, was seventy millions sterling, besides what was privately landed.—*Author.*

perhaps a great deal too much, for it may again be asked, where is the profit if there is no encrease of money?

The woollen manufacture is the staple manufacture of England, and this is evidently on the decline, in some, if not in all its branches. The city of Norwich, one of the most populous cities in England, and wholly dependant on the woollen manufacture, is at this day, in a very impoverished condition, owing to the decline of its trade.

But not to rest the matter on a general assertion, or embarrass it with numerous statements, we will produce a circumstance by which the whole progress of the trade may be ascertained.

So long as thirty years ago, the price paid to the spinners of wool was one shilling for twenty-four skains, each skain containing five hundred and sixty yards. This, according to the term of the trade, was called giving a shilling for a shilling. A good hand would spin twelve skains, which was sixpence a day.

According to the increase of taxes, and the increased price of all the articles of life, they certainly ought now to get at least fifteen pence, for what thirty years ago they got a shilling for. But such is the decline of the trade, that the case is directly the contrary. They now get but nine pence for the shilling, that is, they get but nine pence for what thirty years ago they got a shilling for. Can these people cry out for war, when they are already half ruined by the decline of trade, and half devoured by the increase of taxes?

But this is not the whole of the misfortunes which that part of the country suffers, and which will extend to others. The Norfolk farmers were the first who went into the practice of manuring their land with marle; but time has shewn that though it gave a vigour to the land for some years, it operated in the end to exhaust its stamina; that the lands in many parts are worse than before they begun to marle, and that it will not answer to marle a second time.

The manufacturers of Manchester, Birmingham and Sheffield have had of late a considerable spring, but this appears

to be rather on speculation than certainty. The speculations on the American market have failed, and that on Russia is becoming very precarious. Experience likewise was wanting to ascertain the quantity which the treaty of commerce with France would give sale to, and it is most probable the estimations have been too high, more especially as English goods will now become unpopular in France, which was not the case before the present injudicious rupture.

But in the best state which manufactures can be in, they are very unstable sources of national wealth. The reasons are, that they seldom continue long in one state. The market for them depends upon the caprice of fashions, and sometimes of politics in foreign countries, and they are at all times exposed to rivalship as well as to change. The Americans have already several manufactures among them, which they prefer to the English, such as axes, scythes, sickles, ploughs, planes, nails, etc. Window glass, which was once a considerable article of export from England to America, the Americans now procure from other countries, nearly as good as the English Crown Glass, and but little dearer than the common green window glass.

It is somewhat remarkable that so many pens have been displayed to shew what is called the increase of the commerce of England, and yet all of them have stopped short of the grand point, that is, they have gone no further than to shew that a larger proportion of shipping, and a greater quantity of tonnage have been employed of late years than formerly: But this is no more than what is happening in other parts of Europe. The present fashion of the world is commerce, and the quantity encreases in France as well as in England.

But the object of all trade is profit, and profit shews itself, not by an increase of paper currency, for that may be nationally had without the trouble of trade, but by an increase of real money: therefore the estimation should have ended, not in the comparative quantity of shipping and tonnage, but in the comparative quantity of gold and silver.

Had the quantity of gold and silver increased in England,

the ministerial writers would not have stopt short at shipping and tonnage; but if they know any thing of the matter, they must know that it does not increase, and that the deception is occasioned by the increase of paper instead of money, and that as paper continues to increase, gold and silver will diminish. Poorer in wealth, and richer in delusion.

Something is radically wrong, and time will discover it to be putting paper in the room of money.

Out of one hundred millions sterling of gold and silver, which must have been imported into Europe from South America since the commencement of the peace before last, it does not appear that England has derived or retains any portion of it.

M. Neckar states the annual increase of gold and silver in France, that is, the proportion which France draws of the annual importation into Europe, to be upwards of one million sterling. But England, in the space of twenty years, does not appear to have encreased in any thing but paper currency.

Credulity is wealth while credulity lasts, and credit is, in a thousand instances, the child of credulity. It requires no more faith to believe paper to be money, than to believe a man could go into a quart bottle; and the nation whose credulity can be imposed upon by bottle conjuring, can, for a time, be imposed upon by paper conjuring.

From these matters we pass on to make some observations on the national debt, which is another species of paper currency.

In short, to whatever point the eye is directed, whether to the money, the paper, the manufactures, the taxes, or the debt, the inability of supporting a war is evident, unless it is intended to carry it on by fleecing the skin over people's ears by taxes; and therefore the endangering the nation in a war for the sake of the Stadtholder of Holland, or the king of Prussia, or any other foreign affairs, from which England can derive no possible advantage, is an absurd and ruinous system of politics.

France, perhaps, is not in a better situation, and therefore, a war where both must lose, and wherein they could only act the part of seconds, must historically have been denominated a boyish, foolish, unnecessary quarrel.

But before we enter on the subject of the national debt, it will be proper to make a general review of the different manner of carrying on war since the Revolution to what was the practice before.

Before the Revolution the intervals of peace and war always found means to pay off the expence, and leave the nation clear of incumbrance at the commencement of any succeeding war; and even for some years after the Revolution this practice was continued.

From the year 1688, (the æra of the Revolution) to the year 1702, a period of fourteen years, the sums borrowed by Government at different times, amounted to forty-four millions; yet this sum was paid off almost as fast as it was borrowed; thirty-four millions being paid off, at the commencement of the year 1702. This was a greater exertion than the nation has ever made since, for exertion is not in borrowing but in paying.

From that time wars have been carried on by borrowing and funding the capital on a perpetual interest, instead of paying it off, and thereby continually carrying forward and accumulating the weight and expence of every war into the next. By this means that which was light at first becomes immensely heavy at last. The nation has now on its shoulders the weight of all the wars from the time of Queen Anne. This practice is exactly like that of loading a horse with a feather at a time till you break his back.

The national debt exhibits at this day a striking novelty. It has travelled on in a circular progression till the amount of the annual interest has exactly overtaken, or become equal to, the first capital of the national debt, NINE MILLIONS. Here begins the evidence of the predictions so long foretold by the ablest calculators in the nation. The interest will in succession overtake all the succeeding capitals, and that with the proportioned rapidity with which those capitals

accumulated; because by continuing the practice, not only higher and higher premiums must be given for loans, but the money, or rather the paper, will not go so far as it formerly did, and therefore the debt will increase with a continually increasing velocity.

The expence of every war, since the national debt began, has, upon an average, been double the expence of the war preceding it; the expence therefore of the next war will be at least two hundred millions, which will encrease the annual interest to at least seventeen millions, and consequently the taxes in the same proportion; the following war will encrease the interest to thirty-three millions, and a third war will mount up the interest to sixty-five millions. This is not going on in the spirit of prediction, but taking what has already been as a rule for what will yet be, and therefore the nation has but a miserable prospect to look at. The weight of accumulating interest is not much felt till after many years have passed over; but when it begins to be heavy, as it does now, the burthen encreases like that of purchasing a horse with a farthing for the first nail of the shoe and doubling it.

As to Mr. Pitt's scheme of reducing the national debt by a million a year, applied to the purchase of stock, it will turn out, to say the least of it, a ridiculous and frivolous project: For if a Minister has not experience enough to distinguish a feather in the air, and such there always will be, from the God of War, nor the clamours and interest of those who are seeking for jobs and contracts from the voice and interests of the people, he will soon precipitate the nation into some unnecessary war: and therefore any scheme of redemption of the debt, founded on the supposed continuance of peace, will, with such conduct, be no more than a balloon.

That the funding system contains within itself the seeds of its own destruction, is as certain as that the human body contains within itself the seeds of death. The event is as fixed as fate, unless it can be taken as a proof that because we are not dead we are not to die.

The consequence of the funding scheme, even if no other

event takes place, will be to create two violent parties in the nation. The one, goaded by taxes continually encreasing to pay the interest, the other reaping a benefit from the taxes by receiving the interest. This is very strongly shadowed forth, like the handwriting on the wall, by the ingenious author of the Commercial Atlas, in his observations on the national debt.

The slumber that for several years has over-shadowed the nation in all matters of public finance, cannot be supposed to last for ever. The people have not yet awakened to the subject, and it is taken for granted that they never will. But, if a supposed unnecessary expenditure of between five and six millions sterling in the finances of France (for the writer undertakes not to judge of the fact) has awakened that whole nation, a people supposed to be perfectly docile in all national matters, surely the people of England will not be less attentive to their rights and properties. If this should not be the case, the inference will be fairly drawn that England is losing the spirit that France is taking up, and that it is an ingenious device in the Ministry to compose the nation to unpopular and unnecessary taxes, by shamming a victory when there was no enemy at hand.

In short, every war serves to encrease every kind of paper currency in the nation, and to diminish the quantity of gold and silver, by sending it to Prussia and other foreign countries.

It will not be denied that credulity is a strong trait in the English character; and this has in no instance shewn itself more than in mistaking paper for money, except it be in the unaccountable ignorance of mistaking the debt of the nation for riches. But the suspicion is beginning to awake.

We will close this article with observing, that a new kind of paper currency has arisen within a few years, which is that of country Bank Notes; almost every town now has its Bank, its Paper Mint, and the coinage of paper is become universal. In the mean time the melting down the light guineas, and recoining them, passes with those who know no better for an encrease of money; because every new guinea

they see, and which is but seldom, they naturally suppose to be a guinea more, when it is really nothing else than an old guinea new cast.

From this account of the money, paper, and national debt of England, we proceed to compare it with the money, paper, and national debt of France.

It is very well known that paper has not the same credit in France which it has in England, and that, consequently, there is much less of it. This has naturally operated to encrease the quantity of gold and silver in France, and prevent the encrease of paper.

The highest estimation of the quantity of gold and silver in England, as already stated, is twenty millions sterling, and the quantity of paper grafted thereon, immense.

The quantity of gold and silver in France is ninety millions sterling, and the quantity of paper grafted thereon trifling. France, therefore, has a long run of credit yet in reserve, which England has already expended; and it will naturally follow, that when the Government of France and the nation shall adjust their differences by an amicable embrace of each other, that this reserved credit will be brought forth, and the power of France will be doubly encreased. The adjustment of these differences is but the business of a day, whenever its Government shall see the proper moment for doing it; and nothing would precipitate this event more than a war. The cry of war, from the injudicious provocations given by the British Ministry, and the disadvantageous effect of the Commercial Treaty, is becoming popular in France.

The near situation of France to Spain and Portugal, the two countries which import gold and silver, and her manufactures being better adapted to the warm climate of those countries than the manufactures of England, give her superior opportunities of drawing money into the nation; and as she has but little trade to the East Indies, the money so drawn in is not drawn out again, as in England. Another advantage is that, from the greatness of her dominions, she has no occasion to waste her wealth in hiring foreign troops, as is the practice with England; and a third advantage is, that

the money which England squanders in Prussia and other countries on the Continent serves to encrease the wealth of France, because a considerable part of it centres there through the medium of her commerce.

Admitting Great Britain and Ireland to contain ten millions of inhabitants, the quantity of money per head is forty shillings; the money per head in France is three pounds fifteen shillings, which is nearly double.

The national debt of England, compared to the whole amount of money in the nation, is as twelve to one, that is, the debt is twelve times greater than all the money amounts to.

The national debt of France, compared to the whole amount of her money, is considerably less than as two is to one, that is, her debt is not so much as twice the amount of her money. France, therefore, as already stated, has an immense credit in reserve whenever the settlement of her present internal differences shall furnish her with the means of employing it; and that period, so much to be dreaded by England, is hastening on.

The annual interest of the national debt of England and France are nearly equal, being NINE MILLIONS sterling; but with this difference, that above three millions and a half of the annual interest of France are only life annuities. The interest, therefore, of her debt lessens every year, and she will have a surplus up to the amount of three millions and a half, to apply to the purchase of that part of the debt which is on perpetual interest; therefore, without any new taxes for that purpose, she can discharge her whole debt in less than a third of the time in which it can be done in England, according to Mr. Pitt's plan, with his additional tax of a million a year.

But let the event of Mr. Pitt's plan be what it may, as to reducing the debt, there is one circumstance that cannot fail to accompany it, which is, that of making it the interest of Government, in executing this plan, to undermine the interest of its creditors, or the value of the funds, for the purpose of purchasing at a cheaper rate.

The plan is founded on the presumption of a long uninterrupted peace, and that future loans would not be wanted, which cannot now be expected, for France in her turn is getting into a temper for war. The plan naturally strikes at the credit of Government, in contracting further debts; for were a loan to be opened to-morrow, the subscribers, naturally perceiving that it was the interest of Government to undermine them as soon as they became creditors, would consequently seek to secure themselves by demanding higher premiums at first. It is a question whether a premium of thirty per cent. is now as good as ten was before, and therefore the plan, in case of a war, instead of lessening the debt, serves to push it more rapidly on.

The Minister certainly never understood the natural operation of his plan, or he would not have acted as he has done. The plan has two edges, while he has supposed it to have only one. It strikes at the debt in peace, and at the credit in war.

The gentleman who originally furnished the Minister with this plan, now gives it totally up. He knew its operation both in peace and war, but the Minister appears not to have comprehended it: But if he has made a mistake, his youth and inexperience must be his apology.

The plan, unless it should be altered, that is given out for providing for the expence of the late armaments, is in reality no other than the American plan of paper money, and it is very probable that the Minister has received it from some American refugee.

The plan given out is, that the Minister is to borrow the MONEY of the Bank. Here is the delusion. The name of MONEY covers the deception. For the case is, that the Bank does not lend the real money, but it issues out an emission of Bank-paper, and the presumption is that there will be no run upon the Bank in consequence of such an extraordinary emission; but if there should, no man can be at a loss in foreseeing the issue.

There are those who remember that on a former run the Bank was obliged to prolong the time of paying shillings and sixpences, and it is universally credited that a quantity of

silver is now preserved in the Bank for the same purpose; but the device, to every person of reflection, shows that the capital is not equal to the demands, and that the Chapter of Accidents is part of the Bible of Bank.

It may be asked why does not the Government issue the paper instead of the Bank? The answer is, that it is exactly the same thing in the end, only with this difference in the mode, that were the Government to do it, it would be too visible a system of paper currency, and that a disguise is necessary.

Having recourse to the Bank, is a kind of playing the Bank off against the Funds. Fighting one kind of paper against another, and in the combat both will be sufferers.

In short, the delusion of paper riches is working as rapidly in England as it did in America. A young and inexperienced Minister, like a young and inexperienced Congress, may suppose that he sees mines of wealth in a printing press, and that a nation cannot be exhausted while there is paper and ink enough to print paper money. Every new emission, until the delusion bursts, will appear to the nation an increase of wealth. Every merchant's coffers will appear a treasury, and he will swell with paper riches till he becomes a bankrupt.

When a Bank makes too free with its paper, it exposes itself in much the same manner which a Government does that makes too free with its power; too much credit is as bad as too little; and there is such a thing as governing too much, as well in a Bank, as in a Government. But nothing exposes a Bank more than being under the influence instead of the protection of Government, and whenever either the property or the credit of a Bank, can be commanded or influenced by a Government, or a Minister, its destruction is not far off.

We have now stated the comparative condition of England and France as to money matters. But there yet remain some things necessary to be touched upon.

It is an error very frequently committed in the world to mistake disposition for condition.

France, with a much better permanent condition for war than England, is in a less disposition to enter into one, and this want of disposition in her is mistaken in England for want of condition ; and on the other hand, the apparent disposition in England for war is mistaken by her for a condition to undertake and carry one on.

There appears a uniformity in all the works of Nature, from individual animals up to nations. The smaller animals are always the most fretful, passionate, and insulting. They mistake temper for strength, and often fall a sacrifice to vexatious impetuosity, while larger ones go calmly on, and require repeated provocations to incense them. France may yet be aggravated into war, and very probably will. Where the condition exists, the disposition may at any time take place. We may create temper, but we cannot create strength.

While the literature of England preserves an honourable rank among the nations of Europe, her national character is most miserably suffering in the world through her newspapers. The most barefaced perfidiousness, the most abandoned principles are daily propagated. A total disregard to all the obligations of national faith and honour are publicly professed. Instead of that true greatness of heart, that calm grandeur of sentiment, that generous disdain of vulgar littleness that ought always to accompany the disputes of nations, scarcely any thing is to be seen but mean abuse and low scurrility. This is not the case in any other country in the world but England.

We will now proceed to conclude with a few additional observations on the state of politics.

For several weeks the nation was amused with the daily rumours of some great Cabinet secret, and admiring how profoundly the secret was kept, when the only secret was, that there was no secret to divulge.

But this opinion of a secret very well shews that the opinion of the nation was opposed to the opinion of the Minister, or the supposition of some great secret would not have taken place, as the affairs of the Stadtholder were then

publicly known. It shews that the nation did not think the Stadtholder of Holland a sufficient reason for laying new taxes on England, and running into the risk and expence of a war, and great was the surprise when the declaration and counter-declaration, like twin mice, peeped from the Cabinet.

But there is one secret that requires to be investigated, which is, whether the Minister did not know that France would not engage in a war, and whether the preparations were not an idle parade, founded on that knowledge.

Whether it was not meanly putting England under the banners of Prussia, and taking thereby a dishonourable advantage of the internal perplexity which France was then in, and which in its turn may happen to England, to assume the air of a challenge, which it must be known would not be accepted, because there was nothing to make the acceptance necessary.

Whether this conduct in the Minister does not mischievously operate to destroy the harmony that appeared to be growing up between the two nations; to lessen, if not totally destroy, the advantages of the Commercial Treaty, and to lay the seeds of future wars, when there was a prospect of a long and uninterrupted peace.

When there are two ways of accomplishing the same object, it almost always happens that the one is better than the other; and whether the Minister has not chosen the worst, a few observations will elucidate.

It signifies not what airy schemes, projects, or even treaties may be formed, especially if done under the point of the bayonet, for all that can be expected of Holland is neutrality. Her trade is with all nations, and it is from her neutrality that this trade has arisen. Destroy this neutrality and Holland is destroyed. Therefore it matters not what sentiments party men may be of in Holland as to the Stadtholdership, because there is still a superior banner under which all will unite.

Holland will not expose her trade to the devastations of England by joining France in a war, neither will she expose it to France by joining England. It may very well

be asked, what are England or France to Holland, that she should join with either in a war, unless she is compelled to it by one or the other making war upon her, as was the case in the last war?

Events may soon happen in Europe to make all the force that Prussia can raise necessary to her own defence, and Holland must be wise enough to see that, by joining England, she not only exposes her trade to France but likewise her dominions, because France can invade her in a quarter in which England cannot defend her, provided her Generals prove true, for Holland lies open to France by land. It is, therefore, more immediately the interest of Holland to keep on good terms with France; neither can England give her any equivalent to balance this circumstance. How foolish then are the politics which are directed to unnatural and impossible objects! Surely the experience of a century past is sufficient to shew to any man, except one of yesterday, what the conduct of Holland in all cases must be.

But there is another circumstance that does not fail to impress foreigners, and especially Holland; which is, that the immensity of the national debt of England, the prospect of its still encreasing, and the exorbitancy of her paper currencies, render her too insecure in herself to be much confided in by foreign nations for any length of time. Because that which must happen may soon happen.

Concerning the rescript delivered by the French Minister, there is one certain explanation to be put upon it, which is, that if France had been disposed for war, she would not have made that communication. The very making it goes to a full explanation of the parts; and as soon as Mr. Pitt obtained this knowledge, it appeared to him a safe moment to gird on his sword; and when he found that France was as well weaponed as himself, to propose to take it off again. This is in a few words the whole history of the campaign. A war Minister in peace, and a peace Minister in war. Brave where there is no danger, and prudent when there is.

The rescript could be nothing else than an explanation, on the part of France, of the situation she conceived herself to

be subject to, and the probable consequences that might follow from it. This she was not obliged to make, and therefore her making it was a matter of civil communication towards a power she was at peace with, and which in return entitled her to a similar communication on the part of the British Cabinet. All this might have been done without either the expence, the tumult, the provocations, or the ill blood that has been created.

The alliance between France and the Dutch was formed while the Stadtholder was a part of the Government, therefore France could not, from that alliance, take a part either for or against him. She could only act when the whole interest of the Republic was exposed to a foreign enemy, and it was not certain that this might not be the case.

The rescript, therefore, instead of being taken as a ground for war, was in itself a ground for peace, because it tended to bring on a discussion of all the circumstances of France and England relative to Holland, which would not have failed to place Holland in a state of neutrality, and that only will be the final event now; because, independent of all parties, no other is consistent with the whole national interest of that Republic.

But this is not being done, it is now left to the Dutch to do it for themselves.

An alliance with England, at the same time there is one existing with France, will secure this neutrality, so necessary to the Dutch Republic. By this stroke of politics she will be free from all obligations to join with either in a war, and be guaranteed by both. Her alliance with England will debar England from molesting her trade by sea, and that with France will debar France from the same thing, and likewise from invading her by land in all future cases. There are so many probable circumstances to arise on the Continent of Europe, that the situation of Holland requires this safeguard, more especially from France, on account of her land connection.

The rising greatness of the Russian Empire, the probable union of this Empire with those of Germany and France,

and consequently with Spain, whose interests cannot be separated, and the probability of a rupture between the Emperor and the King of Prussia, are matters that cannot fail to impress the Dutch with the necessity of securing themselves by land as well as by sea, and to prevent their being drawn into the quarrels either of England or France.

Upon the whole, as there was a civil as well as an uncivil line of politics to be pursued, every man of humane and generous sentiments must lament it was not chosen.

A disposition for peace was growing up in every part of France, and there appeared at the same time a mutual one rising in England. A silent wish on both sides was universally expanding itself, that wars, so fatal to the true interest and burthensome by taxes to the subjects of both countries, might exist no more, and that a long and lasting peace might take place.

But instead of cultivating this happy opportunity, the pettish vanity of a young and inexperienced Minister, who balanced himself between peace and war to take his choice of circumstances, instead of principles, and who went into an expensive armament when there was none to contend with, and not till after the affairs of Holland might be said to be terminated, has destroyed those seeds of harmony that might have been rendered of more value to both nations than their fleets and armies.

He has permitted the nation to run mad under the universal influence of a groundless belief of vast hostile armaments in the East and West Indies, and the supposition of a secret that never existed. By this means the sparks of ill will are afresh kindled up between the nations, the fair prospects of lasting peace are vanished, and a train of future evils fills up the scene, and that at a time when the internal affairs of France, however confused they at present appear, are naturally approaching to a great and harmonious encrease of its power.

THOMAS PAINE.

YORK STREET, ST. JAMES'S SQUARE,
20th August, 1787.

IX.

SPECIFICATION OF THOMAS PAINE.

A.D. 1788 . . . . N° 1667.

CONSTRUCTING ARCHES, VAULTED ROOFS, AND CEILINGS.

TO ALL TO WHOM THESE PRESENTS SHALL COME, I, THOMAS PAINE, send greeting.

WHEREAS His most Excellent Majesty King George the Third, by His Letters Patent under the Great Seal of Great Britain, bearing date the Twenty-sixth day of August, in the Twenty-eighth year of His reign, did give unto me, the said Thomas Paine, His special licence that I, the said Thomas Paine, during the term of fourteen years therein expressed, should and lawfully might make, use, exercise, and vend, within England, Wales, and Town of Berwick-upon-Tweed, my Invention of "A METHOD OF CONSTRUCTING OF ARCHES, VAULTED ROOFS, AND CIELINGS, EITHER IN IRON OR WOOD, ON PRINCIPLES NEW AND DIFFERENT TO ANYTHING HITHERTO PRACTICED, BY MEANS OF WHICH CONSTRUCTION ARCHES, VAULTED ROOFS, AND CIELINGS MAY BE ERECTED TO THE EXTENT OF SEVERAL HUNDRED FEET BEYOND WHAT CAN BE PERFORMED IN THE PRESENT PRACTICE OF ARCHITECTURE;" in which said Letters Patent there is contained a proviso obliging me, the said Thomas Paine, to cause a particular description of the nature of my said Invention, and in what manner the same is to be performed, by an instrument in writing under my hand and seal, to be inrolled in His Majesty's High Court of Chancery

within one calendar month next and immediately after the date of the said recited Letters Patent, as in and by the same (relation being thereunto had) may more fully and at large appear.

NOW KNOW YE, that in compliance with the said proviso, I, the said Thomas Paine, do hereby declare that my said Invention of A Method of Constructing of Arches, Vaulted Roofs, and Cielings, either in Iron or Wood, on Principles New and Different to anything hitherto practiced, by means of which Construction, Arches, Vaulted Roofs, and Cielings may be Erected to the Extent of several Hundred Feet beyond what can be performed in the present practice of Architecture, is described in manner following (that is to say):—

The idea and construction of this arch is taken from the figure of a spider's circular web, of which it resembles a section, and from a conviction that when nature empowered this insect to make a web she also instructed her in the strongest mechanical method of constructing it.

Another idea, taken from nature in the construction of this arch, is that of increasing the strength of matter by dividing and combining it, and thereby causing it to act over a larger space than it would occupy in a solid state, as is seen in the quills of birds, bones of animals, reeds, canes, etc. The curved bars of the arch are composed of pieces of any length joined together to the whole extent of the arch, and take curveture by bending. Those curves, to any number, height, or thickness, as the extent of the arch may require, are raised concentrically one above another, and separated, when the extent of the arch requires it, by the interposition of blocks, tubes, or pins, and the whole bolted close and fast together (the direction of the radius is the best) through the whole thickness of the arch, the bolts being made fast by a head pin or screw at each end of them. This connection forms one arched rib, and the number of ribs to be used is in proportion to the breadth and extent of the arch, and those separate ribs are also combined and braced together by bars passing 'cross all the ribs, and made

fast thereto above and below, and as often and wherever the arch, from its extent, depth, and breadth, requires. When this arch is to be applied to the purpose of a bridge, which requires more arches than one, they are to be connected in the following manner (that is to say):—Wood piles are to be driven into the earth; over each of those piles are to be let fall a hollow iron or metal case, with a broad foot let into a bed; the interspace between the case and the wood pile to be filled up with a cement and pinned together. The whole number of those pillars are to be braced together, and formed into a platform for receiving and connecting the arches. The interspaces of those pillars may be filled with plates of iron or lattice work so as to resemble a pier, or left open so as to resemble a colonade of any of the orders of architecture. Among the advantages of this construction is that of rendering the construction of bridges into a portable manufacture, as the bars and parts of which it is composed need not be longer or larger than is convenient to be stowed in a vessel, boat, or waggon, and that with as much compactness as iron or timber is transported to or from Great Britain; and a bridge of any extent upon this construction may be manufactured in Great Britain and sent to any part of the world to be erected. For the purpose of preserving the iron from dust it is to be varnished over with a coat of melted glass. It ought to be observed, that extreme simplicity, though striking to the view, is difficult to be conceived from description, although such description exactly accords, upon inspection, with the thing described. A practicable method of constructing arches to several hundred feet span, with a small elevation, is the desideratum of bridge architecture, and it is the principle and practicability of constructing and connecting such arches so as totally to remove or effectually lessen the danger and inconvenience of obstructing the channell of rivers, together with that of adding a new and important manufacture to the iron works of the nation, capable of transportation and exportation, that is herein described. When this arch is to be applied to the purpose of a roof and cieling cords may be added to the arch to supply the want

of butments, which are to be braced to or connected with the arch by perpendiculars.

In witness whereof, I, the said Thomas Paine, have hereunto set my hand and seal, the Twenty-fifth day of September, in the year of our Lord One thousand seven hundred and eighty-eight.

THOMAS (L.S.) PAINE.

Sealed and delivered, being first duly stamped, in the presence of

PETER WHITESIDE.

AND BE IT REMEMBERED, that on the Twenty-fifth day of September, in the twenty-eighth year of the reign of His Majesty King George the Third, the said Thomas Paine came before our said Lord the King in His Chancery, and acknowledged the Instrument aforesaid, and all and every thing therein contained and specified, in form above written. And also the Instrument aforesaid was stamped according to the tenor of the several Statutes made in the sixth year of the reign of the late King and Queen William and Mary of England, and so forth, and in the seventeenth and twenty-third years of the reign of His Majesty King George the Third.

MONTAGU.

Inrolled the said Twenty-fifth day of September, in the year last above written.

LETTER TO JEFFERSON IN PARIS.

No. 13 Broad Street Buildings,
London, Feb. 16, 1789.

"Dear Sir:—Your favour of the 23d Dec'r continued to the — of Jan'y came safe to hand; for which I thank you. I begin this without knowing of any opportunity of conveyance, and shall follow the method of your letter by writing on till an opportunity offers. I thank you for the many and judicious observations about my bridge. I am exactly in your Ideas, as you will perceive by the following account. —I went to the Iron Works [Yorkshire] the latter end of Oct'r. My intention at the time of writing to you was to construct an experiment arch of 250 feet [an iron Bridge], but in the first place the season was too far advanced to work out of doors, and an arch of that extent could not be worked within doors; and *nextly*, there was a prospect of a real Bridge being wanted on the spot, of 90 feet extent. The person who appeared disposed to erect a Bridge was Mr. Foljambe, nephew to the late Sir George Saville, and Member in the last Parliament for Yorkshire. He lives about three miles from the Works, and the river Don runs in front of his house, over which there is an old ill-constructed Bridge which he wants to remove. These circumstances determined me to begin an arch of 90 feet, with an elevation of five feet.—The foreman of the Works is a relative of the Proprietors [Messrs. Walker], an excellent mechanic, who fell in with all my Ideas with great ease and penetration. I staid at the Works till one-half of the Rib, 45 feet, was compleated and framed horizontally together, and came up to

London at the meeting of Parliament on the 4th of December. The foreman, whom, as I told him, I should appoint 'President of the Board of Works' in my absence, wrote me word that he has got the other half together with much less trouble than the first. He is now preparing for erecting and I for returning.

"Feb. 26. A few days ago I received a letter from Mr. Foljambe in which he says, 'I saw the Rib of your Bridge. In point of elegance and beauty it far exceeded my expectations, and is certainly beyond anything I ever saw.'

"My Model and myself had many visitors while I was at the Works. A few days after I got there, Lord Fitz William, heir to the Marquis of Rockingham, came with Mr. [Edmund] Burke. The former gave the workmen five guineas and invited me to Wentworth House, a few miles distant from the Works, where I went, and staid a few days.

"This Bridge I expect will bring forth something greater, but in the meantime I feel like a bird from its nest [America], and wishing most anxiously to return; therefore as soon as I can bring anything to bear I shall dispose of the contract and bid adieu. I can very truly say that my mind is not at home.

"I am very much rejoiced at the account you give me of the state of affairs in France. I feel exceedingly interested in the affairs of that nation. They are now got or getting into the right way, and the present reign will be more immortalized in France than any that ever preceded it: they have all died away, forgotten in the common mass of things, but this will be to France like an Anno Mundi, or an Anno Domini.

"The happiness of doing good, and the pride of doing great things, unite themselves in this business. But as there are two kinds of Pride, the little and the great, the privileged orders will in some degree be governed by this division. Those of little pride (I mean little-minded pride) will be schismatical, and those of great pride will be orthodox, with respect to the States General. Interest will likewise

have some share, and could this operate freely it would arrange itself on the orthodox side. To enrich a nation is to enrich the individuals which compose it. To enrich the farmer is to enrich the farm—and consequently the landlord;—for whatever the farmer is, the farm will be. The richer the subject, the richer the revenue, because the consumption from which taxes are raised are in proportion to the abilities of people to consume; therefore the most effectual method to raise both the revenue and the rental of a country is to raise the condition of the people,—or that order known in France by the Tiers Etat. But I ought to ask pardon for entering into reasoning in a letter to you. I only do it because I like the subject.

"I observe in all the companies I go into the impression which the present circumstances of France have upon this country. *An internal Alliance* [of Throne and People] in France is an alliance which England never dreamed of, and which she most dreads. Whether she will be better or worse tempered afterwards I cannot judge of, but I believe she will be more cautious in giving offense. She is likewise impressed with an idea that a negotiation is on foot between the King [Louis XVI.] and the Emperor [of Germany] for adding Austrian Flanders to France. This appears to me such a probable thing, and may be rendered [so] conducive to the interest of all parties concerned, that I am inclined to give it credit and wish it success. I hope then to see the Scheld opened, for it is a sin to refuse the bounties of Nature. On these matters I shall be glad of your opinion. I think the States General of Holland could not be in earnest when they applied to France for the payment of the quota to the Emperor. All things considered, to request it was meanness and to expect it absurdity. I am more inclined to think they made it an opportunity to find how they stood with France. Absalom (I think it was) set fire to his brother's field of corn to bring on a conversation.

"March 12. With respect to political matters here the truth is, the people are fools. They have no discernment into principles and consequences. Had Mr. Pitt proposed

a National Convention at the time of the King's insanity, he had done right; but instead of this he has absorbed the right of the Nation into a right of Parliament,—one house of which (the Peers) is hereditary in its own right, and over which the people have no control (not as much as they have over their King); and the other elective by only a small part of the Nation. Therefore he has lessened instead of increased the rights of the people; but as they have not sense enough to see it, they have been huzzaing him. There can be no fixed principles of government, or anything like a Constitution, in a country where the government can alter itself, or one part of it supply the other.

"Whether a man that has been so compleatly mad as not to be managed but by force and the mad shirt can ever be confided in afterwards as a reasonable man, is a matter I have very little opinion of. Such a circumstance, in my estimation, if mentioned, ought to be a perpetual disqualification.

"Had the Regency gone on and the new Administration been formed I should have been able to communicate some matters of business to you, both with respect to America and France, as an interview for that purpose was agreed upon, and to take place as soon as the persons who were to fill the offices should succeed. I am the more confidential with those persons, as they are distinguished by the name of the Blue and Buff,—a dress taken up during the American war, and the undress uniform of General Washington with lapels, which they still wear. But at any rate, I do not think it worth while for Congress to appoint any Minister to this Court. The greater distance Congress observes on this point, the better. It will be all money thrown away to go to any expense about it,—at least during the present reign. I know the Nation well, and the line of acquaintance I am in enables me to judge better than any other American can judge, especially at a distance. If Congress should have any business to state to the Government here, it can be easily done thro' their Minister at Paris; but the seldomer the better.

"I believe I am not so much in the good graces of the Marquis of Lansdowne as I used to be. I do not answer his purpose. He was always talking of a sort of reconnection of England and America, and my coldness and reserve on this subject checked communication. I believe he would be a good Minister for England with respect to a better agreement with France.

"Remember me to the Marquis de la Fayette, Mr. Le Roy, Mr. De Corney. Please to inform me if anything further has been done about the Bridge; and likewise how the new Bridge in your neighbourhood goes on.

"I am, Dear Sir, with much respect,

"Your sincere Friend,

"and ob't H'ble servant,

"THOMAS PAINE."

XI.

THOMAS PAINE'S ANSWER TO FOUR QUESTIONS ON THE LEGISLATIVE AND EXECUTIVE POWERS.

Translated from the MS. by Condorcet.

I HAVE received from my friend M——— a note containing the four following propositions on which you are kind enough to desire my opinion. I shall not take up your valuable time with compliments and apologies, but as a man who looks upon himself as a member of the great human family.

On reading the four questions put to T. Paine, one perceives the intention of soliciting, and the hope of obtaining for them, an affirmative answer. The inquirer took care to let the stern Republican understand that should his opinion perchance coincide with that hope, he might expect the

[1] This newly discovered document is given here though it was written after Part I. of "Rights of Man"; and it is given entire, though it anticipates, and nearly in the same language, one or two passages in Part II. of that work. The slight differences, and the connection in which the passages were originally written, are of historical interest. Although the exact date of the composition is not given, the internal evidence proves it to have been begun in April or May, 1791, Paine being then in Paris, and finished in July of the same year. A translation of Part I. of "Rights of Man" appeared in Paris in May, and it will be seen that he was already well advanced on Part II. to which he alludes as in preparation. This paper, plainly not written for publication, was elicited by questions put to Paine, probably by Condorcet, perhaps by Lafayette, concerning the Constitution just submitted by the National Assembly. In the following year it was translated by Condorcet, and printed in the *Chronique du Mois*, May, June, July, 1792. The original manuscript has not been discovered, and I am indebted to my friend Miss Fritsch for a careful translation of the work which has before never appeared in English, or in any collection of Paine's Writings.—*Editor.*

gratitude that a work so conducive to the freedom of the human race would deserve. But interested and eager as I am for its happiness wherever it is found on the face of the earth, and working as a brother and associate with you and all those who are contributing to its felicity, I will lay before you, as briefly as I can, the reflexions that your questions have suggested. In the first place I must warn you that I shall not stop to consider whether our opinions agree in every particular; but in the assurance that our end is one and the same, I shall limit myself to discussing with you the means of attaining it.

First you agree that the basis of the French constitution is good; then you ask whether it is not defective on several points, and

1. Whether the legislative and executive powers are not so unequally balanced that there is cause to fear lest the former should encroach upon the latter?

2. Whether the executive power is not too weak to insure obedience to the law and to secure the respect and confidence of the people?

3. Whether it is not to be feared that the legislative body consisting of one single chamber will be carried away by its own impetuosity and lack self-restraint?

4. Whether the organization of the system of administration is not too complicated and of a kind to make anarchy lasting?

I shall first impart to you a few reflexions on these questions considered separately. I shall next add some remarks that embrace them all. Finally, without examining whether the French constitution is defective and could be improved by being added to, or curtailed, I will lay before you some easy means of modifying it without disturbing the order of government should experience show the necessity of such modifications.

With regard to your opening declaration *that the basis of the constitution is good*, this basis being no other than the rights of man, it rests on truths so well demonstrated that they can no longer be a subject of discussion—I will merely

quote and apply to those who dispute them the well-known saying: The fool hath said in his heart there is no God.

FIRST QUESTION.

Are not the legislative and executive powers too unequally balanced, and is there not cause to fear that the former will encroach upon the latter?

If we consider the legislative and executive powers as emanating from a common source, the *nation*, and as a distribution of the national power aiming at the general good, it will be difficult to perceive any motive why the one should encroach upon the other, or to conceive any advantage to be derived by either from the success of such an undertaking. But if, on the contrary, we look upon these two powers as having a different origin and struggling against each other, the one for the rights of the nation, and the other for rights that are not those of the nation, your question is no longer the same, and the fear it formulates is no longer fear of evil, but fear for the public safety.

As your terms do not show under which of these two aspects it should be considered, and as it is difficult to discuss separately a question which is directly dependent on a preceding one, I will use to its full extent the liberty which the vagueness of the proposition allows me and put down a few remarks as they suggest themselves to my mind. I shall thus carry the problem to the point of solution rather than solve it myself.

Nations suffer so universally from the fatal custom of being ill governed, and the human soul "cribbed, cabined and confined" through so many centuries, is so unaccustomed to light, that it may be doubted whether the faculty of distinguishing prismatic hues is as yet fully developed within it.

If we rid our ideas of all superfluous words, and consider them in their natural bareness and simplicity, we perceive (as in the very forms of the proposition) only two main divisions of the powers that constitute government: the power of making laws, and that of causing them to be car-

ried out or administered. Thus all that pertains to government naturally falls under one or the other of these primary divisions.

We have, I think, generally a more precise and fuller conception of the nature of the legislative power than of the executive. By the first, we merely mean the delegated power of making laws *in conformity with the basis and principles of the constitution.* For, without this conformity, the legislative power would only be despotic power disguised under another name.

But, when we examine the executive power in the vague sense generally given to that term, we have not so precise or so clear an idea of it as we have of the legislative power. This idea seems to carry with it some admixture of arbitrary power, with the inevitable result of creating suspicion rather than confidence. Consequently, until these powers shall have been defined with equal precision, it is difficult to treat of the propositions that relate to them.

But, if any mutual invasion of these two powers be possible, it is as possible on the part of the one as of the other; and in this alternative, I should deem that nation safer where an *elected* legislative body should possess itself of the executive, than where a *non-elected* executive should assume the power of making laws.

Independently of these considerations, I own that I do not see how a government can with any exactness be compared to a pair of scales. What is there to balance? A balance suggests the idea of opposition. This figure of speech is, I think, borrowed from England, where circumstances had, at first, given it some appropriateness. The English government being a tyranny founded on the Norman Conquest, the nation has constantly sought a counterpoise to what it could not remove.

With the Norman Conquest, aristocracy came in, and the nation had to struggle against a host of obstacles. *The weight of the nation was then in the scale against the ruling powers. It is what has since been called the national interest to distinguish it from the interest of* THE COURT.

But the metaphor of a pair of scales is inconceivable in a country where all the powers of government have a common origin. In this case, the idea of two extremities in opposition to each other disappears, and we see only one edifice where union and harmony are the order of the day.

II.

I pass on to the second question, namely "Whether the executive power is not too weak to insure obedience to the law and to secure the respect and confidence of the people?" When there is a fundamental objection to the first proposition, this objection reappears necessarily in all the propositions that are derived from that first one, and here I ask again, What is the executive power? If, by this expression, is meant *the power of carrying out the laws*, these words refer naturally to every tribunal and court of justice whose business it is to enforce the law, since the last recourse is to them, wherever it is violated. The legislature is particularly interested in maintaining the power of the executive, considered from this point of view; for if the enforcement of the law is weakened, the laws themselves, and those who made them, will be weakened in proportion. But, if it should be admitted that the executive *is no longer able to enforce obedience to the laws and secure the respect and obedience of the people*, a great question presents itself, namely, what is the cause of this incapacity?

This question leads us to consider the term *executive power*, as referring, not to the immediate carrying out of the laws, but as designating a medium or centre through which they must pass to reach the point of execution. And this brings our thoughts to bear on that part of the constitution called the *monarchy*.

The original and direct meaning of the word "*monarch*" is *absolute power concentrated in one man*. This meaning is always the same and suffers no other interpretation. It must be admitted that the constitution, although sublime in its principles, offers here a contradiction between ideas and

terms, and as such a contradiction ever brings suspicion in its train, let us examine to what extent suspicion leads, in its turn, to non-execution of the law.

If a remembrance of the nature and extent of monarchical power in old days, and the idea that is attached to those terms, continue to be identified with that of executive power, every scheme likely to strengthen the latter will only tend to increase suspicion and diminish confidence.

If there were a law of Nature, or a decree of the Almighty, made known to men, by which He had determined that all the successive holders of the same power should be endowed with the same heart, and that heart never deceived, suspicions, fears, and alarms would be appeased. But when we see Nature act as if she were determined to disown the monarchical system, producing monarchs as diverse in character as in person, making one wicked, the other stupid, a third mad, and another all these things at once, will it be possible, so long as reason remains a faculty of man, for him to give the least credence to this hereditary absurdity?

If the French should scorn reflexion as long as the English have done, their lethargic indifference might look like happiness, and their thoughtlessness like confidence; but confidence, to be lasting, must be an edifice raised by time on the foundation of reason.

III.

I pass on to the third question: *Is there not cause to fear that the legislative body, composed of a single chamber, may be carried away by its own impetuosity and lack self-restraint?*

This question may be considered under so many aspects, each of which is open to so many arguments, that it seems as yet hardly susceptible of a positive answer. I will nevertheless give you my ideas on this point.

A Constitution, in defining the limits of power, together with the principles which the legislature is bound to obey, has already provided a most powerful and trustworthy check upon any abuse of power.

If, for instance, a law were proposed in one of the legislatures of America, like that passed in the English Parliament (at the beginning of the reign of George I.), to prolong the duration of these Parliaments, such a law could never pass, because the constitution is opposed to it and says: "Thus far shall ye go and no farther."

But, although all the restrictions to power under its various forms should be provided for by the constitution itself, much will always have to be left to the prudence and discretion of the different legislative bodies.

However much skill is displayed in combining the various powers of a constitution, if you establish two chambers you cannot calculate beforehand, with any certainty, the degree of restraint they will exercise upon each other. They may have an understanding not to use that power of mutual restraint, either for good or for evil; but a check provided by the constitution will have a certain and beneficial effect.

As to my private opinion, I should prefer for the reasons I shall unfold, that the legislature should be divided in two sections at the beginning of a debate, to its being always one body, or to its forming two separate bodies.

It seems to me that in this matter of the division of the legislative body, reason is not so much to be taken into consideration, as the passions of men. For, whenever the object is to convince or to persuade, the influence of these passions should be turned to account.

Wherever the legislative body consists of one single chamber, it runs the risk of coming to rash decisions; whereas division offers one chance more for collected judgement. There is no doubt that discussion sheds light, and that a superior man may sometimes derive benefit from the ideas of a person less enlightened than himself. But, if he means to carry out these ideas, it is best he should himself take but little part in the debate. I suppose therefore that the legislative body consists of 100 persons: instead of opening the debate in one assembly, divide the chamber into two equal sections that shall deal with some question, not at the same time, but successively. By this means, one section would

listen to the arguments of the other, and when each separately should have closed the debate, it might be renewed and the vote put in the general assembly. I think therefore it might be possible to hit on some scheme preferable to one chamber, as at present established, and free from the drawbacks that result from two chambers, some of which I shall proceed to state.

In the first place, it is illogical that one division of the legislature should have the power of coming to a final decision on any one question while this question is still under discussion by another body and consequently still open to new lights.

Secondly, it is possible and constantly happens that when the votes of each chamber are taken separately, the minority governs the majority in a way both shocking and ridiculous.

Let us suppose, for instance, that the two chambers are composed of 50 members each. If unanimity exists in the one, and the other be divided in the proportion of 26 votes against 24—then 26 shall carry it against 74, that is, one-fourth of the votes and one over, shall govern the other three-fourths. If the chambers are in the proportion of 60 to 40, 70 to 30, or 80 to 20, the evil is greater still, for then eleven votes can carry it against 89, if these eleven votes are at the same time in opposition to the nine of their own, and to the totality of the other chamber.

But if the legislative body be only divided in order to facilitate debate and not for the purpose of carrying resolutions, all the advantages of separate discussion result from this division without the drawbacks of two chambers.

As to the two chambers which constitute the Parliament of England, they seem absolutely fused into one, and as legislative bodies to have no special character of their own. In all respects they take that of the Premier of the day, whatever it be, and whatever the epoch of his premiership. He touches them with his soporific wand, and at once they fall into the sleep of subserviency.

If we consider the individual merit of those who compose these two chambers, we shall see that the one whose very

name (House of Lords *) is an outrage on nature, has been very justly deprived of talent and virtues by nature herself. Pitiable though the representation of England is, the Commons are in a virile state compared to the Lords. That wretched assembly is so little considered and appears so puerile, that the people never ask what it is about. It also comes most under ministerial influence. In the debate on war with Russia, the minister had a majority of over 90 in the Lords, whilst in the other chamber, which is twice as numerous, he had only a majority of 63. Chesterfield, a member of that assembly, and one of those who knew it best, had nicknamed it "*the Hospital for Incurables.*"

I am little inclined to admit the idea of two chambers with an arbitrary and reciprocal veto. Nothing in the principle of good representation shows that the one may be wiser than the other, and thus to intrust power where wisdom cannot be given to use it is as much to run a risk as to take a precaution.

All human institutions having been improved since their origin, we must believe that the representative system will be improved too and this hope is all the better established that this system is among our institutions one of those which have met with the greatest number of obstacles and have had the best chance of being perfected.

IV.

I pass on to the fourth question—Whether the organization of the administrative system is not too complicated and of such a nature as to perpetuate anarchy?

A great advance has been made in the science of government (especially where the state is of considerable extent) by the institution of a system which puts each part of a country in a position to govern all its private affairs. Not only is private and public business simplified thereby, but the waste of time and the expense consequent upon administration from a distance are avoided, as well as the mistakes that such a system of jurisdiction entails.

* Lord means Master.—*Author.*

Although the general utility of the institution referred to above is evident, a particular knowledge of local circumstances is necessary to judge of its details. I own I do not possess this particular knowledge, my purpose being rather to elucidate general principles of government; for, if these be good, the application of them to particular cases, will be good also. The science of government being still in its infancy I am satisfied with hoping that no system will be established likely to prevent us from profiting by the lessons of experience.

In spite of the study which has been made of the science of government, of its principles, its operations, and its manifold results, the following question has not yet been sufficiently examined, nor has enough light been thrown upon it: *How small a measure of government is necessary to civilized man?*

I cannot now go thoroughly into this question. To do so would be to exceed the limits I have prescribed to myself. Moreover, it is being considered in a work of mine now in course of composition.

But I am very decided in the opinion that the sum of necessary government is much less than is generally thought, and that we are not yet rid of the habit of excessive government.

If I ask any one to what extent he thinks himself in need of being governed, he gives me to understand that in his case "a little would be enough"; and I receive the same answer from every one. But if, reversing the question, I ask the same man what amount of government he deems necessary for another, he answers: "a great deal." As that other person decides the question in the same way for everybody else, the result of all these answers is excess of government. I conclude therefore that the amount really necessary is to be found between these two extremes. It is, namely, a little more than each wants for himself and a good deal less than he thinks necessary for others. Excess of government only tends to incite to and to create crimes which else had never existed.

The wretched traffic of former governments was in a great measure upheld by the care they took to throw everywhere seeds of division, and to encourage the growth of suspicion, not only from nation to nation, but also from man to man. Such a traffic can only perpetuate itself by destroying the very principles of society, and we are still suffering from the effects of that rotten system. We must therefore consider that the moral condition of man must needs change, and that under better principles of government, he will cease to be the suspicious creature he inevitably was under former systems. Already, as nations come nearer to adopting the principles of civilized government, the human mind acquires a new faculty. The people of England and those of France are no longer what they were two years ago with respect to each other, and the same principles that actuate the bulk of these nations will prevail in the private relations of each. But the moral changes which obtain between nations, or between individuals, although very rapid in their operation when they lead to evil, are very slow when they lead to good. It is easy enough to prompt suspicion, but difficult to eradicate it. Force cannot kill it: it must be undermined silently, and it will crumble away without noise.

If we consider the situation of France under the old régime, we see a government founded on suspicion, consequently on spies and eaves-droppers, whose business it was to report everything to the police. Every social circle was accustomed to suspect one or other of its members; confidence, except as a word, did not exist. The master suspected his servants, neighbours suspected each other, government suspected them all, and all suspected government. Therefore, we should rather wonder at the new régime being able to obtain the degree of confidence it does enjoy, than lament its not obtaining more. So much must needs be forgotten in this respect, that I wish the nation had no memory for the past.

I now come to the last part of my letter—*to the consideration of the best means of perfecting the constitution* (should experience show the necessity of it) *without interrupting* the

course of government. The best way to do so would be to insert in the constitution a clause by which the method of these improvements would be determined. As opinion is divided on this point, I shall make it the object of a special discussion. So far, France has been without a Constitution: not only is she now on the eve of establishing one, but of electing a legislative assembly. In this condition of things, it is more than ever necessary to distinguish between the situation of the nation, when delegating power to form a constitution, and its situation afterwards, when obliged to delegate its authority to a legislative body, organized in accordance with that constitution. The constitution itself, and the laws, are two things essentially distinct from the power of framing laws to meet special circumstances, in accordance with the principles of that constitution. If the primal authority to form a constitution were to come down as an inheritance to every legislative body in succession, it is clear there would no longer be such a thing as a constitution; and legislation having become arbitrary, as in England, it would without difficulty set up any government it liked. The present National Assembly, or to speak more exactly and to distinguish it from ordinary legislatures, the *National Assembly of the Convention*, has been obliged by stress of circumstance to take the place of a legislature, at the same time that it was framing a constitution. It was called upon to destroy, to construct, and to provide for immediate needs, whilst completing the new edifice. The mass of business was enormous and its attention was called for on every side at the same time. Without mentioning the special business which occupied the Assembly, its labours, in order to frame a constitution, come under two heads: *what it has destroyed*, *what it has built up*. With respect to the first head, it could not err; for the old edifice rested on an evil foundation, that is on usurped power.

After thus simplifying the question, it remains only to examine the second head, namely what has been set up in lieu of the old edifice.

The foundations, on which the new rests are undisputably good, and that alone is sufficient compensation for all the nation has suffered. But have the old materials been used too sparingly, or with too free a hand, in the new building? Do all the parts present an exact symmetry? Is this symmetry greater or less than experience shows to be necessary? These are points on which experience itself can alone pronounce. All the wisdom of the present moment must limit itself to putting no obstacles in the way of the improvement that time may bring.

Meanwhile the world is perfectly agreed on two points: the boldness of the undertaking, and the perseverance displayed in carrying it out. It is natural that zeal, together with the fear of a return of bad government, should have induced the men to whom the power of framing a constitution had been delegated, to establish permanently what is only relatively good, instead of risking a return of former evils. But since this final settlement prevents what is good from becoming better, the wisdom of such a measure is at least doubtful. The degree of enlightenment attained by a nation, or more generally by the world, is one of the points to be considered. Reason is beginning to throw such strong daylight upon all political questions that we should boldly and magnanimously repulse every sort of fear lest man should sink back in the black night of ignorance; and since, in all countries whatever, the interest of the greatest number makes for good rather than for evil, these different causes working together will bring the science of government to a degree of perfection of which we can, as yet, form no idea. We should not therefore hinder its progress. While it would not be wise in us to fetter ourselves, with respect to posterity it would be usurpation. Man has no authority over posterity —if he had, our rights would long since have been lost. Pride inclines us too much to cast our eyes toward the future, when considering this question; whereas, the best way of doing so, would be to reflect on the past, and see to what state we should be reduced, had our ancestors suc-

ceeded in putting upon us with any show of legitimacy, the yoke we are trying to impose upon our descendants. We should not have been able to do what we are doing at the present moment. It is not enough that man should have the enjoyment of his rights. The exercise of these rights must be secured to him by the principles of social order.

The best we can do for our children in the matter of government, is to bequeath to them freedom together with good examples. What is worthy of imitation will necessarily be imitated. The intrinsic merit of our institutions, and not the checks we might put upon posterity, will determine it to imitate these institutions. When a man bequeaths an inheritance, he does not impose upon his heirs the obligation to accept it; such a condition would be absolutely null and void. The inheritance will be accepted if it is worth anything, and refused if it be valueless. Can it be otherwise with respect to government? The rights of man are the rights of all generations. We should not let anxiety for their welfare carry us to the pitch of doubting their capacity. They might be wiser than we are. Let us not therefore be so blind as to usurp a power to which we have no right.

The means of amending itself is a very important part of the constitution. It is perhaps impossible to combine in one institution principles, opinions and practice, in such a way that time shall bring no alterations and show no drawbacks. The best way to obviate such an increase of these drawbacks as might discourage attempts at reform or provoke revolutions, is to provide means of correcting them as they arise. Such a constitution may be called a perpetual constitution, but no other deserves that name. The constitution of Pennsylvania, established 1776 by the convention of which Benjamin Franklin was president, contained a statute to the effect that at the end of seven years (a term of years supposed to extend beyond the duration of the war) a new convention should be elected to revise the constitution, to compare it with public opinion and to propose such additions or retrenchments as might be deemed useful or necessary. But the proposed amendments were to be the

object of public attention for a considerable time before being either rejected or confirmed. This clause was altered in a subsequent convention, and *the right of the nation to alter or perfect the constitution whenever she should deem it necessary* was substituted for it.

For my part I think that a periodical exercise of that right is preferable to the above general declaration; for, at the same time that the periodic exercise of their power does not destroy the everlasting right, it provides frequent opportunities of using it and thus helps to keep government within the principles of the constitution.

The federal government, or that which embraces the whole of the United States, framed by the convention of 1787, under the Presidency of General Washington, to-day President of Congress, also contains a clause which admits of every future improvement; but to bring these about recourse must be had to the authority of the people, and to those very means by which the constitution itself was framed. Whilst establishing a good government, it is necessary to provide means to keep it so.

This precaution is in fact so necessary that a constitution would be incomplete without it. Experience having shown us how very difficult it is to carry out reforms, it is to the real advantage of posterity that we should devise beforehand means for their accomplishment.

A constitution which contains a clause giving facilities for its amendment, is protected against all opposition; for the hopes that may desire improvements, or what they look upon as such, will operate to bring them the means which the constitution furnishes and by doing so, will carry on its authority. This measure has another advantage. It defines precisely wherein consists the crime of *high treason* against the constitution itself—*to seek to alter any part of it by other means than those it furnishes* (means equally within reach of all citizens) is a clear definition of those terms and serves to impress, not merely on individuals, but on the holders of power also, a wholesome fear lest they should prove guilty of high treason. The authority to frame a constitution

does not necessarily imply the authority to establish it: it must first be proposed and then approved before the power to establish it can exist. It is thus the matter has been settled in America. But, in spite of different methods of action having been followed in that country and in France, results in both have shown a good deal of similarity. The American Convention did not allow any part of its labours to appear until it was completed, when it published the whole and gave public opinion time to sanction it before putting it into execution. The French National Assembly, on the contrary, has published its work as it proceeded with it, beginning with the declaration of rights. Both methods therefore are alike in one particular, namely in appealing to the public approbation, and either system may be equally good.

It is not necessary, in order to add a precautionary clause, to examine whether the constitution is so perfect as to be under no need, or even susceptibility, of improvement. This clause extends to any alteration the constitution may require in the future, and to what we cannot even foresee. I do not believe that the men now living have produced every possible thought on government, and the Abbé Raynal has just proved to us that ancient errors have not yet died of old age.

When the general principles of a constitution are sound, the minor reforms which experience may demand are so easy to bring about that the nation will never be tempted to let abuses accumulate. It seems to me good policy to fix the date for the first revision of the constitution to seven years hence; for before those years are over, its advantages and defects will have had time to make themselves known. We should remark also that some of the most important articles of the constitution have not been the result of reflexion, but of special circumstances; such, for instance, is the decree on the right of peace and war. As, on the other hand, it is not to be supposed that the space of two years (the time which the Assembly took to frame the constitution) has been sufficient to produce every

possible circumstance, it is well, on the supposition of necessary additions or amendments, that the first period of revision should not be deferred to a too distant date. It is not impossible—nay, it is even probable—that the whole system of government in Europe will change, that the ferocious use of war,—that truly barbarous cause of wretchedness, poverty and taxation,—will yield to pacific means of putting an end to quarrels among nations. Government is now being revolutionized from West to East by a movement more rapid than the impulse it formerly received from East to West. I wish the National Assembly may be bold enough to propose a Convention elected by the different peoples of Europe for the general welfare of that portion of the world. Freedom for ourselves is merely happiness: it becomes virtue when we seek to enable others to enjoy it.

A journey has prevented my finishing sooner this letter, begun more than five weeks ago. Since that time, circumstances have changed in France, owing to the flight and arrestation of Louis XVI. Every successive event incites man to reason. He proceeds from idea to idea, from thought to thought, without perceiving the immense progress he is making. Those who believe that France has reached the end of its political knowledge, will soon find themselves, not only mistaken, but left behind, unless they themselves advance at the same rate. Every day brings forth something new. The mind, after having fought kings as individuals, must look upon them as part of a system of government, and conclude that what is called monarchy is only a superstition and a political fraud, unworthy of an enlightened people. It is with monarchy as with all those things which depend on some slavish habit of mind.

Could we draw a circle round a man, and say to him: You cannot get out of this, for beyond is an abyss ready to swallow you up—he will remain there as long as the terror of the impression endures. But if, by a happy chance, he sets one foot outside the magic circle, the other will not be slow to follow.

THOMAS PAINE.

XII.

ADDRESS AND DECLARATION.

At a select Meeting of the Friends of Universal Peace and Liberty, held at the Thatched House Tavern, St. James's Street, August 20, 1791, the following Address and Declaration to our Fellow Citizens was agreed on and ordered to be published.

FRIENDS AND FELLOW CITIZENS,

AT a moment like the present, when wilful misrepresentations are industriously spread by the partizans of arbitrary power, and the advocates of passive obedience and court government, we think it incumbent on us to declare to the world our principles, and the motives of our conduct.

We rejoice at the glorious event of the *French Revolution.*

If it be asked: What is the French Revolution to us?

We answer, (as it has been already answered in another place,*) *It is much* to us as men: much to us as Englishmen.

As men we rejoice in the freedom of twenty-five millions of our fellow men. We rejoice in the prospect which such a magnificent example opens to the world. We congratulate the French nation for having laid the axe to the root of tyranny, and for erecting government on the sacred *hereditary rights of man*—Rights which appertain to ALL, and not to any one more than to another. We know of no human authority superior to that of a whole nation; and we pro-

* Declaration of the Volunteers of Belfast.—*Author.*

fess and proclaim it as our principle that every nation has at all times an inherent indefeasible right to constitute and establish such government for itself as best accords with its disposition, interest, and happiness.

As Englishmen we also rejoice, because we are *immediately* interested in the French Revolution.

Without enquiring into the justice on either side of the reproachful charges of intrigue and ambition, which the English and French Courts have constantly made on each other, we confine ourselves to this observation :—That if the Court of France only was in fault, and the numerous wars which have distressed both countries, are chargeable to her alone, that Court now exists no longer ; and the cause and the consequence must cease together. The French, therefore, by the revolution they have made, have conquered for us as well as for themselves ; if it be true that their Court only was in fault, and ours never.

On this state of the case, the French Revolution concerns us *immediately*. We are oppressed with a heavy national debt, a burthen of taxes, and an expensive administration of government, beyond those of any people in the world. We have also a very numerous poor ; and we hold that the moral obligation of providing for old age, helpless infancy, and poverty, is far superior to that of supplying the invented wants of courtly extravagance, ambition, and intrigue.

We believe there is no instance to be produced but in England, of *seven* millions of inhabitants, which make but little more than *one* million of families, paying yearly SEVENTEEN MILLIONS of taxes.

As it has always been held out by all administrations that the restless ambition of the Court of France rendered this expense necessary to us for our own defence, we consequently rejoice as men deeply interested in the French Revolution, for that Court, as we have already said, exists no longer ; and consequently the same enormous expenses need not continue to us.

Thus rejoicing, as we sincerely do, both as men and Englishmen, as lovers of universal peace and freedom, and as

friends to our own national prosperity, and a reduction of our public expenses, we cannot but express our astonishment that any part, or any members of our own government, should reprobate the extinction of that very power in France, or wish to see it restored, to whose influence they formerly attributed (whilst they appeared to lament) the enormous increase of our own burthens and taxes. What, then, are they sorry that the pretence for new oppressive taxes, and the occasion for continuing many of the old taxes, will be at an end? If so, and if it is the policy of courts and of court governments, to prefer enemies to friends, and a system of war to that of peace, as affording more pretences for places, offices, pensions, revenue, and taxation, it is high time for the people of every nation to look with circumspection to their own interests.

Those who *pay* the expense, and *not* those who *participate* in the emoluments arising from it, are the persons immediately interested in inquiries of this kind. We are a part of that national body, on whom this annual expense of seventeen millions falls; and we consider the present opportunity of the French Revolution as a most happy one for lessening the enormous load under which this nation groans. If this be not done, we shall then have reason to conclude, that the cry of intrigue and ambition against *other* courts, is no more than the common cant of *all* courts.

We think it also necessary to express our astonishment that a government, desirous of being called FREE, should prefer connection with the most despotic and arbitrary powers in Europe. We know of none more deserving this description than those of Turkey and Prussia, and the whole combination of German despots. Separated as we happily are by nature, from the tumults of the Continent, we reprobate all systems and intrigues which sacrifice (and that too at a great expense) the blessings of our natural situation. Such systems cannot have a national origin.

If we are asked, what government is?—We hold it to be nothing more than a NATIONAL ASSOCIATION, and we hold that to be the best which secures to every man his rights,

and promotes the greatest quantity of happiness with the *least expence.*

We live to improve, or we live in vain; and therefore we admit of no maxims of government or policy on the mere score of antiquity, or other men's authority, the *old* whigs or the *new.*

We will exercise the reason with which we are endued, or we possess it unworthily. As reason is given at all times, it is for the purpose of being used at all times.

Among the blessings which the French Revolution has produced to that nation, we enumerate the abolition of the feudal system of injustice and tyranny on the 4th of August, 1789. Beneath the feudal system all Europe has long groaned, and from it England is not yet free. Game laws, borough tenures, and tyrannical monopolies of numerous kinds, still remain amongst us; but rejoicing as we sincerely do, in the freedom of others, till we shall happily accomplish our own, we intended to commemorate this prelude to the universal extirpation of the feudal system, by meeting on the anniversary of that day (the 4th of August) at the Crown and Anchor. From this meeting we were prevented by the interference of certain *unnamed* and *skulking* persons with the master of the Tavern, who informed us, that on *their* representations he could not receive us. Let those who live by, or countenance feudal oppressions, take the reproach of this ineffectual meanness and cowardice to themselves. They cannot stifle the public declaration of our honest, open, and avowed opinions.

These are our principles, and these our sentiments. They embrace the interest and happiness of the great body of the nation of which we are a part. As to riots and tumults, let those answer for them, who, by wilful misrepresentations, endeavor to excite and promote them; or who seek to *stun* the sense of the nation, and to lose the great cause of public good in the outrages of a misinformed mob. We take our ground on principles that require no such riotous aid. We have nothing to apprehend from the poor; for we are pleading their cause. And we fear not proud oppression, for we

have truth on our side. We say, and we repeat it, that the French Revolution opens to the world an opportunity in which all good citizens must rejoice—that of promoting the general happiness of man. And that it moreover offers to this country in particular, an opportunity of reducing our enormous taxes.

These are our objects, and we will pursue them.

J. HORNE TOOKE,
Chairman.[1]

[1] Only signed by Tooke as Chairman, but written by Paine.—*Editor.*

XIII.

RIGHTS OF MAN.

EDITOR'S INTRODUCTION.

WHEN Thomas Paine sailed from America for France, in April, 1787, he was perhaps as happy a man as any in the world. His most intimate friend, Jefferson, was Minister at Paris, and his friend Lafayette was the idol of France. His fame had preceded him, and he at once became, in Paris, the centre of the same circle of savants and philosophers that had surrounded Franklin. His main reason for proceeding at once to Paris was that he might submit to the Academy of Sciences his invention of an iron bridge, and with its favorable verdict he came to England, in September. He at once went to his aged mother at Thetford, leaving with a publisher (Ridgway), his "Prospects on the Rubicon." He next made arrangements to patent his bridge, and to construct at Rotherham the large model of it exhibited on Paddington Green, London. He was welcomed in England by leading statesmen, such as Lansdowne and Fox, and above all by Edmund Burke, who for some time had him as a guest at Beaconsfield, and drove him about in various parts of the country. He had not the slightest revolutionary purpose, either as regarded England or France. Towards Louis XVI. he felt only gratitude for the services he had rendered America, and towards George III. he felt no animosity whatever. His four months' sojourn in Paris had convinced him that there was approaching a reform of that country after the American model, except that the Crown would be preserved, a compromise he approved, provided the throne

should not be hereditary. Events in France travelled more swiftly than he had anticipated, and Paine was summoned by Lafayette, Condorcet, and others, as an adviser in the formation of a new constitution.

Such was the situation immediately preceding the political and literary duel between Paine and Burke, which in the event turned out a tremendous war between Royalism and Republicanism in Europe. Paine was, both in France and in England, the inspirer of moderate counsels. Samuel Rogers relates that in early life he dined at a friend's house in London with Thomas Paine, when one of the toasts given was the "memory of Joshua,"—in allusion to the Hebrew leader's conquest of the kings of Canaan, and execution of them. Paine observed that he would not treat kings like Joshua. "I 'm of the Scotch parson's opinion," he said, "when he prayed against Louis XIV.—'Lord, shake him over the mouth of hell, but don't let him drop!' " Paine then gave as his toast, "The Republic of the World,"—which Samuel Rogers, aged twenty-nine, noted as a sublime idea. This was Paine's faith and hope, and with it he confronted the revolutionary storms which presently burst over France and England.

Until Burke's arraignment of France in his parliamentary speech (February 9, 1790), Paine had no doubt whatever that he would sympathize with the movement in France, and wrote to him from that country as if conveying glad tidings. Burke's "Reflections on the Revolution in France" appeared November 1, 1790, and Paine at once set himself to answer it. He was then staying at the Angel Inn, Islington. The inn has been twice rebuilt since that time, and from its contents there is preserved only a small image, which perhaps was meant to represent "Liberty,"—possibly brought from Paris by Paine as an ornament for his study. From the Angel he removed to a house in Harding Street, Fetter Lane. Rickman says Part First of "Rights of Man" was finished at Versailles, but probably this has reference to the preface only, as I cannot find Paine in France that year until April 8. The book had been printed by Johnson, in time

for the opening of Parliament, in February ; but this publisher became frightened after a few copies were out (there is one in the British Museum), and the work was transferred to J. S. Jordan, 166 Fleet Street, with a preface sent from Paris (not contained in Johnson's edition, nor in the American editions). The pamphlet, though sold at the same price as Burke's, three shillings, had a vast circulation, and Paine gave the proceeds to the Constitutional Societies which sprang up under his teachings in various parts of the country.

Soon after appeared Burke's "Appeal from the New to the Old Whigs." In this Burke quoted a good deal from "Rights of Man," but replied to it only with exclamation points, saying that the only answer such ideas merited was "criminal justice." Paine's Part Second followed, published February 17, 1792. In Part First Paine had mentioned a rumor that Burke was a masked pensioner (a charge that will be noticed in connection with its detailed statement in a further publication); and as Burke had been formerly arraigned in Parliament, while Paymaster, for a very questionable proceeding, this charge no doubt hurt a good deal. Although the government did not follow Burke's suggestion of a prosecution at that time, there is little doubt that it was he who induced the prosecution of Part Second. Before the trial came on, December 18, 1792, Paine was occupying his seat in the French Convention, and could only be outlawed.

Burke humorously remarked to a friend of Paine and himself, "We hunt in pairs." The severally representative character aud influence of these two men in the revolutionary era, in France and England, deserve more adequate study than they have received. While Paine maintained freedom of discussion, Burke first proposed criminal prosecution for sentiments by no means libellous (such as Paine's Part First). While Paine was endeavoring to make the movement in France peaceful, Burke fomented the league of monarchs against France which maddened its people, and brought on the Reign of Terror. While Paine was endeavoring to preserve the French throne ("phantom"

though he believed it), to prevent bloodshed, Burke was secretly writing to the Queen of France, entreating her not to compromise, and to "trust to the support of foreign armies" ("Histoire de France depuis 1789." Henri Martin, i., 151). While Burke thus helped to bring the King and Queen to the guillotine, Paine pleaded for their lives to the last moment. While Paine maintained the right of mankind to improve their condition, Burke held that "the awful Author of our being is the author of our place in the order of existence; and that, having disposed and marshalled us by a divine tactick, not according to our will, but according to his, he has, in and by that disposition, virtually subjected us to act the part which belongs to the place assigned us." Paine was a religious believer in eternal principles; Burke held that "political problems do not primarily concern truth or falsehood. They relate to good or evil. What in the result is likely to produce evil is politically false, that which is productive of good politically is true." Assuming thus the visionary's right to decide before the result what was "likely to produce evil," Burke vigorously sought to kindle war against the French Republic which might have developed itself peacefully, while Paine was striving for an international Congress in Europe in the interest of peace. Paine had faith in the people, and believed that, if allowed to choose representatives, they would select their best and wisest men; and that while reforming government the people would remain orderly, as they had generally remained in America during the transition from British rule to self-government. Burke maintained that if the existing political order were broken up there would be no longer a people, but "a number of vague, loose individuals, and nothing more." "Alas!" he exclaims, "they little know how many a weary step is to be taken before they can form themselves into a mass, which has a true personality." For the sake of peace Paine wished the revolution to be peaceful as the advance of summer; he used every endeavor to reconcile English radicals to some *modus vivendi* with the existing order, as he was willing to retain Louis XVI. as head of the

executive in France: Burke resisted every tendency of English statesmanship to reform at home, or to negotiate with the French Republic, and was mainly responsible for the King's death and the war that followed between England and France in February, 1793. Burke became a royal favorite, Paine was outlawed by a prosecution originally proposed by Burke. While Paine was demanding religious liberty, Burke was opposing the removal of penal statutes from Unitarians, on the ground that but for those statutes Paine might some day set up a church in England. When Burke was retiring on a large royal pension, Paine was in prison, through the devices of Burke's confederate, the American Minister in Paris. So the two men, as Burke said, "hunted in pairs."

So far as Burke attempts to affirm any principle he is fairly quoted in Paine's work, and nowhere misrepresented. As for Paine's own ideas, the reader should remember that "Rights of Man" was the earliest complete statement of republican principles. They were pronounced to be the fundamental principles of the American Republic by Jefferson, Madison, and Jackson,—the three Presidents who above all others represented the republican idea which Paine first allied with American Independence. Those who suppose that Paine did but reproduce the principles of Rousseau and Locke will find by careful study of his well-weighed language that such is not the case. Paine's political principles were evolved out of his early Quakerism. He was potential in George Fox. The belief that every human soul was the child of God, and capable of direct inspiration from the Father of all, without mediator or priestly intervention, or sacramental instrumentality, was fatal to all privilege and rank. The universal Fatherhood implied universal Brotherhood, or human equality. But the fate of the Quakers proved the necessity of protecting the individual spirit from oppression by the majority as well as by privileged classes. For this purpose Paine insisted on surrounding the individual right with the security of the Declaration of Rights, not to be invaded by any government; and would reduce

government to an association limited in its operations to the defence of those rights which the individual is unable, alone, to maintain.

From the preceding chapter it will be seen that Part Second of "Rights of Man" was begun by Paine in the spring of 1791. At the close of that year, or early in 1792, he took up his abode with his friend Thomas "Clio" Rickman, at No. 7 Upper Marylebone Street. Rickman was a radical publisher; the house remains still a book-binding establishment, and seems little changed since Paine therein revised the proofs of Part Second on a table which Rickman marked with a plate, and which is now in possession of Mr. Edward Truelove. As the plate states, Paine wrote on the same table other works which appeared in England in 1792.

In 1795 D. I. Eaton published an edition of "Rights of Man," with a preface purporting to have been written by Paine while in Luxembourg prison. It is manifestly spurious. The genuine English and French prefaces are given.

RIGHTS OF MAN

BEING AN ANSWER TO MR. BURKE'S ATTACK ON THE FRENCH REVOLUTION

BY

THOMAS PAINE

SECRETARY FOR FOREIGN AFFAIRS TO CONGRESS IN THE AMERICAN WAR, AND
AUTHOR OF THE WORKS ENTITLED "COMMON SENSE" AND "A LETTER TO THE ABBÉ RAYNAL"

GEORGE WASHINGTON,

PRESIDENT OF THE UNITED STATES OF AMERICA.

SIR,—

I present you a small treatise in defence of those principles of freedom which your exemplary virtue hath so eminently contributed to establish. That the Rights of Man may become as universal as your benevolence can wish, and that you may enjoy the happiness of seeing the New World regenerate the Old, is the prayer of

SIR,

Your much obliged, and

Obedient humble Servant,

THOMAS PAINE.

PREFACE TO THE ENGLISH EDITION.

FROM the part Mr. Burke took in the American Revolution, it was natural that I should consider him a friend to mankind; and as our acquaintance commenced on that ground, it would have been more agreeable to me to have had cause to continue in that opinion than to change it.

At the time Mr. Burke made his violent speech last winter in the English Parliament against the French Revolution and the National Assembly, I was in Paris, and had written to him but a short time before to inform him how prosperously matters were going on.[1] Soon after this I saw his advertisement of the Pamphlet he intended to publish: As the attack was to be made in a language but little studied, and less understood in France, and as everything suffers by translation, I promised some of the friends of the Revolution in that country that whenever Mr. Burke's Pamphlet came forth, I would answer it. This appeared to me the more

[1] My efforts to discover this letter have failed. The following is from Croly's "Life of Burke": "Among his [Paine's] earliest missives was a letter [from Paris] to Burke, whom he eagerly urged to introduce Revolution into England, by its established name of 'Reform.' Burke threw back the temptation, or the insult, at once. 'Do you *really* imagine, Mr. Paine,' was his reply, 'that the constitution of this kingdom requires such innovations, or *could exist with them*, or that any *reflecting man would seriously engage in them?* You are aware that I have, all my life, opposed such schemes of reform, because *I know them not to be Reform.*' Paine, however, continued his ill-received correspondence; and whether from the delight of molesting Burke, or the expectation of making him a convert to a side which had the grand charm for the conviction of his own profligate heart, plunder; he sent him narratives of the rapidly recurring triumphs of democracy. In one of those he stated that the Reformers had already determined on the total overthrow of the [French] monarchy, etc." This letter is said by the reverend biographer to have been written "exactly three days before the storming of the Bastille."—*Editor.*

necessary to be done, when I saw the flagrant misrepresentations which Mr. Burke's Pamphlet contains; and that while it is an outrageous abuse on the French Revolution, and the principles of Liberty, it is an imposition on the rest of the world.

I am the more astonished and disappointed at this conduct in Mr. Burke, as (from the circumstances I am going to mention) I had formed other expectations.

I had seen enough of the miseries of war, to wish it might never more have existence in the world, and that some other mode might be found out to settle the differences that should occasionally arise in the neighbourhood of nations. This certainly might be done if Courts were disposed to set honestly about it, or if countries were enlightened enough not to be made the dupes of Courts. The people of America had been bred up in the same prejudices against France, which at that time characterised the people of England; but experience and an acquaintance with the French Nation have most effectually shown to the Americans the falsehood of those prejudices; and I do not believe that a more cordial and confidential intercourse exists between any two countries than between America and France.

When I came to France, in the spring of 1787, the Archbishop of Thoulouse was then Minister, and at that time highly esteemed. I became much acquainted with the private Secretary of that Minister, a man of an enlarged benevolent heart; and found, that his sentiments and my own perfectly agreed with respect to the madness of war, and the wretched impolicy of two nations, like England and France, continually worrying each other, to no other end than that of a mutual increase of burdens and taxes. That I might be assured I had not misunderstood him, nor he me, I put the substance of our opinions into writing and sent it to him; subjoining a request, that if I should see among the people of England, any disposition to cultivate a better understanding between the two nations than had hitherto prevailed, how far I might be authorised to say that the same disposition prevailed on the part of France? He an-

swered me by letter in the most unreserved manner, and that not for himself only, but for the Minister, with whose knowledge the letter was declared to be written.

I put this letter into the hands of Mr. Burke almost three years ago, and left it with him, where it still remains; hoping, and at the same time naturally expecting, from the opinion I had conceived of him, that he would find some opportunity of making good use of it, for the purpose of removing those errors and prejudices which two neighbouring nations, from the want of knowing each other, had entertained, to the injury of both.

When the French Revolution broke out, it certainly afforded to Mr. Burke an opportunity of doing some good, had he been disposed to it; instead of which, no sooner did he see the old prejudices wearing away, than he immediately began sowing the seeds of a new inveteracy, as if he were afraid that England and France would cease to be enemies. That there are men in all countries who get their living by war, and by keeping up the quarrels of Nations, is as shocking as it is true; but when those who are concerned in the government of a country, make it their study to sow discord and cultivate prejudices between Nations, it becomes the more unpardonable.

With respect to a paragraph in this work alluding to Mr. Burke's having a pension, the report has been some time in circulation, at least two months; and as a person is often the last to hear what concerns him the most to know, I have mentioned it, that Mr. Burke may have an opportunity of contradicting the rumour, if he thinks proper.

THOMAS PAINE.

PAINE'S PREFACE TO THE FRENCH EDITION.[1]

THE astonishment which the French Revolution has caused throughout Europe should be considered from two different points of view: first as it affects foreign peoples, secondly as it affects their governments.

The cause of the French people is that of all Europe, or rather of the whole world; but the governments of all those countries are by no means favorable to it. It is important that we should never lose sight of this distinction. We must not confuse the peoples with their governments; especially not the English people with its government.

The government of England is no friend to the revolution of France. Of this we have sufficient proofs in the thanks given by that weak and witless person, the Elector of Hanover, sometimes called the King of England, to Mr. Burke for the insults heaped on it in his book, and in the malevolent comments of the English Minister, Mr. Pitt, in his speeches in Parliament.

In spite of the professions of sincerest friendship found in the official correspondence of the English government with that of France, its conduct gives the lie to all its declarations, and shows us clearly that it is not a court to be trusted, but an insane court, plunging in all the quarrels and intrigues of Europe, in quest of a war to satisfy its folly and countenance its extravagance.

The English nation, on the contrary, is very favorably disposed towards the French Revolution, and to the progress

[1] Part I., translated by F. Soulès, was published in Paris in May, 1791. This Preface has not appeared in any American edition, but a translation was given in Carlile's edition, 1819. The present translation is from the original French. F. Lanthenas translated Parts I. and II. in 1792.—*Editor.*

of liberty in the whole world; and this feeling will become more general in England as the intrigues and artifices of its government are better known, and the principles of the revolution better understood. The French should know that most English newspapers are directly in the pay of government, or, if indirectly connected with it, always under its orders; and that those papers constantly distort and attack the revolution in France in order to deceive the nation. But, as it is impossible long to prevent the prevalence of truth, the daily falsehoods of those papers no longer have the desired effect.

To be convinced that the voice of truth has been stifled in England, the world needs only to be told that the government regards and prosecutes as a libel that which it should protect.* This outrage on morality is called *law*, and judges are found wicked enough to inflict penalties on truth.

The English government presents, just now, a curious phenomenon. Seeing that the French and English nations are getting rid of the prejudices and false notions formerly entertained against each other, and which have cost them so much money, that government seems to be placarding its need of a foe; for unless it finds one somewhere, no pretext exists for the enormous revenue and taxation now deemed necessary.

Therefore it seeks in Russia the enemy it has lost in France, and appears to say to the universe, or to say to itself: "If nobody will be so kind as to become my foe, I shall need no more fleets nor armies, and shall be forced to reduce my taxes. The American war enabled me to double the taxes; the Dutch business to add more; the Nootka humbug gave me a pretext for raising three millions sterling more; but unless I can make an enemy of Russia the harvest from wars will end. I was the first to incite Turk against Russian, and now I hope to reap a fresh crop of taxes."

If the miseries of war, and the flood of evils it spreads

* The main and uniform maxim of the judges is, the greater the truth the greater the libel.—*Author.*

over a country, did not check all inclination to mirth, and turn laughter into grief, the frantic conduct of the government of England would only excite ridicule. But it is impossible to banish from one's mind the images of suffering which the contemplation of such vicious policy presents. To reason with governments, as they have existed for ages, is to argue with brutes. It is only from the nations themselves that reforms can be expected. There ought not now to exist any doubt that the peoples of France, England, and America, enlightened and enlightening each other, shall henceforth be able, not merely to give the world an example of good government, but by their united influence enforce its practice.

RIGHTS OF MAN.

AMONG the incivilities by which nations or individuals provoke and irritate each other, Mr. Burke's pamphlet on the French Revolution is an extraordinary instance. Neither the People of France, nor the National Assembly, were troubling themselves about the affairs of England, or the English Parliament; and that Mr. Burke should commence an unprovoked attack upon them, both in Parliament and in public, is a conduct that cannot be pardoned on the score of manners, nor justified on that of policy.

There is scarcely an epithet of abuse to be found in the English language, with which Mr. Burke has not loaded the French Nation and the National Assembly. Everything which rancour, prejudice, ignorance or knowledge could suggest, is poured forth in the copious fury of near four hundred pages. In the strain and on the plan Mr. Burke was writing, he might have written on to as many thousands. When the tongue or the pen is let loose in a phrenzy of passion, it is the man, and not the subject, that becomes exhausted.

Hitherto Mr. Burke has been mistaken and disappointed in the opinions he had formed of the affairs of France; but such is the ingenuity of his hope, or the malignancy of his despair, that it furnishes him with new pretences to go on. There was a time when it was impossible to make Mr. Burke believe there would be any Revolution in France. His opinion then was, that the French had neither spirit to undertake it nor fortitude to support it; and now that there is one, he seeks an escape by condemning it.

Not sufficiently content with abusing the National Assembly, a great part of his work is taken up with abusing

Dr. Price (one of the best-hearted men that lives)[1] and the two societies in England known by the name of the Revolution Society and the Society for Constitutional Information.

Dr. Price had preached a sermon on the 4th of November, 1789, being the anniversary of what is called in England the Revolution, which took place 1688. Mr. Burke, speaking of this sermon, says: "The political Divine proceeds dogmatically to assert, that by the principles of the Revolution, the people of England have acquired three fundamental rights.

1. To choose our own governors.
2. To cashier them for misconduct.
3. To frame a government for ourselves."

Dr. Price does not say that the right to do these things exists in this or in that person, or in this or in that description of persons, but that it exists in the *whole;* that it is a right resident in the nation. Mr. Burke, on the contrary, denies that such a right exists in the nation, either in whole or in part, or that it exists anywhere; and, what is still more strange and marvellous, he says: "that the people of England utterly disclaim such a right, and that they will resist the practical assertion of it with their lives and fortunes." That men should take up arms and spend their lives and fortunes, *not* to maintain their rights, but to maintain they have *not* rights, is an entirely new species of discovery, and suited to the paradoxical genius of Mr. Burke.

The method which Mr. Burke takes to prove that the people of England have no such rights, and that such rights do not now exist in the nation, either in whole or in part, or anywhere at all, is of the same marvellous and monstrous kind with what he has already said; for his arguments are that the persons, or the generation of persons, in whom they did exist, are dead, and with them the right is dead also. To prove this, he quotes a declaration made by Parliament about a hundred years ago, to William and Mary, in these words: "The Lords Spiritual and Temporal, and Commons, do, in the name of the people aforesaid" (meaning the people of England then living) "most

[1] Richard Price, D.D., F.R.S., died April 19, 1791.

humbly and faithfully *submit* themselves, their *heirs* and *posterities*, for EVER." He quotes a clause of another Act of Parliament made in the same reign, the terms of which he says, "bind us"(meaning the people of their day), "our *heirs* and our *posterity*, to *them*, their *heirs* and *posterity*, to the end of time."

Mr. Burke conceives his point sufficiently established by producing those clauses, which he enforces by saying that they exclude the right of the nation for *ever*. And not yet content with making such declarations, repeated over and over again, he farther says, "that if the people of England possessed such a right before the Revolution" (which he acknowledges to have been the case, not only in England, but throughout Europe, at an early period), "yet that the *English Nation* did, at the time of the Revolution, most solemnly renounce and abdicate it, for themselves, and for *all their posterity, for ever*."

As Mr. Burke occasionally applies the poison drawn from his horrid principles, not only to the English nation, but to the French Revolution and the National Assembly, and charges that august, illuminated and illuminating body of men with the epithet of *usurpers*, I shall, *sans cérémonie*, place another system of principles in opposition to his.

The English Parliament of 1688 did a certain thing, which, for themselves and their constituents, they had a right to do, and which it appeared right should be done. But, in addition to this right, which they possessed by delegation, *they set up another right by assumption*, that of binding and controlling posterity to the end of time. The case, therefore, divides itself into two parts; the right which they possessed by delegation, and the right which they set up by assumption. The first is admitted; but with respect to the second, I reply—

There never did, there never will, and there never can, exist a Parliament, or any description of men, or any generation of men, in any country, possessed of the right or the power of binding and controuling posterity to the "*end of time*," or of commanding for ever how the world shall be

governed, or who shall govern it; and therefore all such clauses, acts or declarations by which the makers of them attempt to do what they have neither the right nor the power to do, nor the power to execute, are in themselves null and void. Every age and generation must be as free to act for itself *in all cases* as the age and generations which preceded it. The vanity and presumption of governing beyond the grave is the most ridiculous and insolent of all tyrannies. Man has no property in man; neither has any generation a property in the generations which are to follow. The Parliament or the people of 1688, or of any other period, had no more right to dispose of the people of the present day, or to bind or to control them *in any shape whatever*, than the parliament or the people of the present day have to dispose of, bind or control those who are to live a hundred or a thousand years hence. Every generation is, and must be, competent to all the purposes which its occasions require. It is the living, and not the dead, that are to be accommodated. When man ceases to be, his power and his wants cease with him; and having no longer any participation in the concerns of this world, he has no longer any authority in directing who shall be its governors, or how its government shall be organised, or how administered.

I am not contending for nor against any form of government, nor for nor against any party, here or elsewhere. That which a whole nation chooses to do it has a right to do. Mr. Burke says, No. Where, then, does the right exist? I am contending for the rights of the *living*, and against their being willed away and controuled and contracted for by the manuscript assumed authority of the dead, and Mr. Burke is contending for the authority of the dead over the rights and freedom of the living. There was a time when kings disposed of their crowns by will upon their death-beds, and consigned the people, like beasts of the field, to whatever successor they appointed. This is now so exploded as scarcely to be remembered, and so monstrous as hardly to be believed. But the Parliamentary clauses upon which Mr. Burke builds his political church are of the same nature.

The laws of every country must be analogous to some common principle. In England no parent or master, nor all the authority of Parliament, omnipotent as it has called itself, can bind or control the personal freedom even of an individual beyond the age of twenty-one years. On what ground of right, then, could the Parliament of 1688, or any other Parliament, bind all posterity for ever?

Those who have quitted the world, and those who have not yet arrived at it, are as remote from each other as the utmost stretch of mortal imagination can conceive. What possible obligation, then, can exist between them—what rule or principle can be laid down that of two nonentities, the one out of existence and the other not in, and who never can meet in this world, the one should controul the other to the end of time?

In England it is said that money cannot be taken out of the pockets of the people without their consent. But who authorised, or who could authorise, the Parliament of 1688 to control and take away the freedom of posterity (who were not in existence to give or to withhold their consent), and limit and confine their right of acting in certain cases for ever?

A greater absurdity cannot present itself to the understanding of man than what Mr. Burke offers to his readers. He tells them, and he tells the world to come, that a certain body of men who existed a hundred years ago made a law, and that there does not now exist in the nation, nor ever will, nor ever can, a power to alter it. Under how many subtilties or absurdities has the divine right to govern been imposed on the credulity of mankind? Mr. Burke has discovered a new one, and he has shortened his journey to Rome by appealing to the power of this infallible Parliament of former days, and he produces what it has done as of divine authority, for that power must certainly be more than human which no human power to the end of time can alter.

But Mr. Burke has done some service—not to his cause, but to his country—by bringing those clauses into public

view. They serve to demonstrate how necessary it is at all times to watch against the attempted encroachment of power, and to prevent its running to excess. It is somewhat extraordinary that the offence for which James II. was expelled, that of setting up power by *assumption*, should be re-acted, under another shape and form, by the Parliament that expelled him. It shews that the Rights of Man were but imperfectly understood at the Revolution, for certain it is that the right which that Parliament set up by *assumption* (for by delegation it had not, and could not have it, because none could give it) over the persons and freedom of posterity for ever was of the same tyrannical unfounded kind which James attempted to set up over the Parliament and the nation, and for which he was expelled. The only difference is (for in principle they differ not) that the one was an usurper over the living, and the other over the unborn; and as the one has no better authority to stand upon than the other, both of them must be equally null and void, and of no effect.

From what, or from whence, does Mr. Burke prove the right of any human power to bind posterity for ever? He has produced his clauses, but he must produce also his proofs that such a right existed, and shew how it existed. If it ever existed it must now exist, for whatever appertains to the nature of man cannot be annihilated by man. It is the nature of man to die, and he will continue to die as long as he continues to be born. But Mr. Burke has set up a sort of political Adam, in whom all posterity are bound for ever. He must, therefore, prove that his Adam possessed such a power, or such a right.

The weaker any cord is, the less will it bear to be stretched, and the worse is the policy to stretch it, unless it is intended to break it. Had anyone proposed the overthrow of Mr. Burke's positions, he would have proceeded as Mr. Burke has done. He would have magnified the authorities, on purpose to have called the *right* of them into question; and the instant the question of right was started, the authorities must have been given up.

It requires but a very small glance of thought to perceive that altho' laws made in one generation often continue in force through succeeding generations, yet they continue to derive their force from the consent of the living. A law not repealed continues in force, not because it *cannot* be repealed, but because it is *not* repealed; and the non-repealing passes for consent.

But Mr. Burke's clauses have not even this qualification in their favor. They become null, by attempting to become immortal. The nature of them precludes consent. They destroy the right which they *might* have, by grounding it on a right which they *cannot* have. Immortal power is not a human right, and therefore cannot be a right of Parliament. The Parliament of 1688 might as well have passed an act to have authorised themselves to live for ever, as to make their authority live for ever. All, therefore, that can be said of those clauses is that they are a formality of words, of as much import as if those who used them had addressed a congratulation to themselves, and in the oriental style of antiquity had said: O Parliament, live for ever!

The circumstances of the world are continually changing, and the opinions of men change also; and as government is for the living, and not for the dead, it is the living only that has any right in it. That which may be thought right and found convenient in one age may be thought wrong and found inconvenient in another. In such cases, who is to decide, the living or the dead?

As almost one hundred pages of Mr. Burke's book are employed upon these clauses, it will consequently follow that if the clauses themselves, so far as they set up an *assumed usurped* dominion over posterity for ever, are unauthoritative, and in their nature null and void; that all his voluminous inferences, and declamation drawn therefrom, or founded thereon, are null and void also; and on this ground I rest the matter.

We now come more particularly to the affairs of France. Mr. Burke's book has the appearance of being written as instruction to the French nation; but if I may permit myself

the use of an extravagant metaphor, suited to the extravagance of the case, it is darkness attempting to illuminate light.

While I am writing this there are accidentally before me some proposals for a declaration of rights by the Marquis de la Fayette (I ask his pardon for using his former address, and do it only for distinction's sake) to the National Assembly, on the 11th of July, 1789, three days before the taking of the Bastille, and I cannot but remark with astonishment how opposite the sources are from which that gentleman and Mr. Burke draw their principles. Instead of referring to musty records and mouldy parchments to prove that the rights of the living are lost, "renounced and abdicated for ever," by those who are now no more, as Mr. Burke has done, M. de la Fayette applies to the living world, and emphatically says: "Call to mind the sentiments which nature has engraved on the heart of every citizen, and which take a new force when they are solemnly recognised by all: —For a nation to love liberty, it is sufficient that she knows it; and to be free, it is sufficient that she wills it." How dry, barren, and obscure is the source from which Mr. Burke labors! and how ineffectual, though gay with flowers, are all his declamation and his arguments compared with these clear, concise, and soul-animating sentiments! Few and short as they are, they lead on to a vast field of generous and manly thinking, and do not finish, like Mr. Burke's periods, with music in the ear, and nothing in the heart.

As I have introduced M. de la Fayette, I will take the liberty of adding an anecdote respecting his farewel address to the Congress of America in 1783, and which occurred fresh to my mind, when I saw Mr. Burke's thundering attack on the French Revolution. M. de la Fayette went to America at the early period of the war, and continued a volunteer in her service to the end. His conduct through the whole of that enterprise is one of the most extraordinary that is to be found in the history of a young man, scarcely then twenty years of age. Situated in a country that was like the lap of sensual pleasure, and with the means of

enjoying it, how few are there to be found who would exchange such a scene for the woods and wildernesses of America, and pass the flowery years of youth in unprofitable danger and hardship! but such is the fact. When the war ended, and he was on the point of taking his final departure, he presented himself to Congress, and contemplating in his affectionate farewel the Revolution he had seen, expressed himself in these words: "May this great monument raised to liberty serve as a lesson to the oppressor, and an example to the oppressed!" When this address came to the hands of Dr. Franklin, who was then in France, he applied to Count Vergennes to have it inserted in the French Gazette, but never could obtain his consent. The fact was that Count Vergennes was an aristocratical despot at home, and dreaded the example of the American Revolution in France, as certain other persons now dread the example of the French Revolution in England, and Mr. Burke's tribute of fear (for in this light his book must be considered) runs parallel with Count Vergennes' refusal. But to return more particularly to his work.

"We have seen," says Mr. Burke, "the French rebel against a mild and lawful monarch, with more fury, outrage, and insult, than any people has been known to rise against the most illegal usurper, or the most sanguinary tyrant." This is one among a thousand other instances, in which Mr. Burke shows that he is ignorant of the springs and principles of the French Revolution.

It was not against Louis XVIth but against the despotic principles of the Government, that the nation revolted. These principles had not their origin in him, but in the original establishment, many centuries back: and they were become too deeply rooted to be removed, and the Augean stables of parasites and plunderers too abominably filthy to be cleansed by anything short of a complete and universal Revolution. When it becomes necessary to do anything, the whole heart and soul should go into the measure, or not attempt it. That crisis was then arrived, and there remained no choice but to act with determined vigor, or not to act at all. The

king was known to be the friend of the nation, and this circumstance was favorable to the enterprise. Perhaps no man bred up in the style of an absolute king, ever possessed a heart so little disposed to the exercise of that species of power as the present King of France. But the principles of the Government itself still remained the same. The Monarch and the Monarchy were distinct and separate things; and it was against the established despotism of the latter, and not against the person or principles of the former, that the revolt commenced, and the Revolution has been carried.

Mr. Burke does not attend to the distinction between men and principles, and, therefore, he does not see that a revolt may take place against the despotism of the latter, while there lies no charge of despotism against the former.

The natural moderation of Louis XVIth contributed nothing to alter the hereditary despotism of the monarchy. All the tyrannies of former reigns, acted under that hereditary despotism, were still liable to be revived in the hands of a successor. It was not the respite of a reign that would satisfy France, enlightened as she was then become. A casual discontinuance of the *practice* of despotism, is not a discontinuance of its *principles:* the former depends on the virtue of the individual who is in immediate possession of the power; the latter, on the virtue and fortitude of the nation. In the case of Charles Ist and James IInd of England, the revolt was against the personal despotism of the men; whereas in France, it was against the hereditary despotism of the established Government. But men who can consign over the rights of posterity for ever on the authority of a mouldy parchment, like Mr. Burke, are not qualified to judge of this Revolution. It takes in a field too vast for their views to explore, and proceeds with a mightiness of reason they cannot keep pace with.

But there are many points of view in which this Revolution may be considered. When despotism has established itself for ages in a country, as in France, it is not in the person of the king only that it resides. It has the appearance

of being so in show, and in nominal authority ; but it is not so in practice and in fact. It has its standard everywhere. Every office and department has its despotism, founded upon custom and usage. Every place has its Bastille, and every Bastille its despot. The original hereditary despotism resident in the person of the king, divides and sub-divides itself into a thousand shapes and forms, till at last the whole of it is acted by deputation. This was the case in France ; and against this species of despotism, proceeding on through an endless labyrinth of office till the source of it is scarcely perceptible, there is no mode of redress. It strengthens itself by assuming the appearance of duty, and tyrannises under the pretence of obeying.

When a man reflects on the condition which France was in from the nature of her government, he will see other causes for revolt than those which immediately connect themselves with the person or character of Louis XVI. There were, if I may so express it, a thousand despotisms to be reformed in France, which had grown up under the hereditary despotism of the monarchy, and became so rooted as to be in a great measure independent of it. Between the Monarchy, the Parliament, and the Church there was a *rivalship* of despotism ; besides the feudal despotism operating locally, and the ministerial despotism operating everywhere. But Mr. Burke, by considering the king as the only possible object of a revolt, speaks as if France was a village, in which everything that passed must be known to its commanding officer, and no oppression could be acted but what he could immediately controul. Mr. Burke might have been in the Bastille his whole life, as well under Louis XVI as Louis XIV., and neither the one nor the other have known that such a man as Burke existed. The despotic principles of the government were the same in both reigns, though the dispositions of the men were as remote as tyranny and benevolence.

What Mr. Burke considers as a reproach to the French Revolution (that of bringing it forward under a reign more mild than the preceding ones) is one of its highest honors.

The Revolutions that have taken place in other European countries, have been excited by personal hatred. The rage was against the man, and he became the victim. But, in the instance of France we see a Revolution generated in the rational contemplation of the Rights of Man, and distinguishing from the beginning between persons and principles.

But Mr. Burke appears to have no idea of principles when he is contemplating Governments. "Ten years ago," says he, "I could have felicitated France on her having a Government, without inquiring what the nature of that Government was, or how it was administered." Is this the language of a rational man? Is it the language of a heart feeling as it ought to feel for the rights and happiness of the human race? On this ground, Mr. Burke must compliment all the Governments in the world, while the victims who suffer under them, whether sold into slavery, or tortured out of existence, are wholly forgotten. It is power, and not principles, that Mr. Burke venerates; and under this abominable depravity he is disqualified to judge between them. Thus much for his opinion as to the occasions of the French Revolution. I now proceed to other considerations.

I know a place in America called Point-no-Point, because as you proceed along the shore, gay and flowery as Mr. Burke's language, it continually recedes and presents itself at a distance before you; but when you have got as far as you can go, there is no point at all. Just thus it is with Mr. Burke's three hundred and sixty-six pages. It is therefore difficult to reply to him. But as the points he wishes to establish may be inferred from what he abuses, it is in his paradoxes that we must look for his arguments.

As to the tragic paintings by which Mr. Burke has outraged his own imagination, and seeks to work upon that of his readers, they are very well calculated for theatrical representation, where facts are manufactured for the sake of show, and accommodated to produce, through the weakness of sympathy, a weeping effect. But Mr. Burke should recollect that he is writing history, and not *plays*, and that

his readers will expect truth, and not the spouting rant of high-toned exclamation.

When we see a man dramatically lamenting in a publication intended to be believed that "*The age of chivalry is gone!* that *The glory of Europe is extinguished for ever!* that *The unbought grace of life* (if anyone knows what it is), *the cheap defence of nations, the nurse of manly sentiment and heroic enterprise is gone!*" and all this because the Quixot age of chivalry nonsense is gone, what opinion can we form of his judgment, or what regard can we pay to his facts? In the rhapsody of his imagination he has discovered a world of wind mills, and his sorrows are that there are no Quixots to attack them. But if the age of aristocracy, like that of chivalry, should fall (and they had originally some connection) Mr. Burke, the trumpeter of the Order, may continue his parody to the end, and finish with exclaiming: "*Othello's occupation's gone!*"

Notwithstanding Mr. Burke's horrid paintings, when the French Revolution is compared with the Revolutions of other countries, the astonishment will be that it is marked with so few sacrifices; but this astonishment will cease when we reflect that *principles*, and not *persons*, were the meditated objects of destruction. The mind of the nation was acted upon by a higher stimulus than what the consideration of persons could inspire, and sought a higher conquest than could be produced by the downfal of an enemy. Among the few who fell there do not appear to be any that were intentionally singled out. They all of them had their fate in the circumstances of the moment, and were not pursued with that long, cold-blooded unabated revenge which pursued the unfortunate Scotch in the affair of 1745.

Through the whole of Mr. Burke's book I do not observe that the Bastille is mentioned more than once, and that with a kind of implication as if he were sorry it was pulled down, and wished it were built up again. "We have rebuilt Newgate," says he, "and tenanted the mansion; and we have prisons almost as strong as the Bastille

for those who dare to libel the queens of France."* As to what a madman like the person called Lord G[eorge] G[ordon] might say, and to whom Newgate is rather a bedlam than a prison, it is unworthy a rational consideration. It was a madman that libelled, and that is sufficient apology; and it afforded an opportunity for confining him, which was the thing that was wished for. But certain it is that Mr. Burke, who does not call himself a madman (whatever other people may do), has libelled in the most unprovoked manner, and in the grossest style of the most vulgar abuse, the whole representative authority of France, and yet Mr. Burke takes his seat in the British House of Commons! From his violence and his grief, his silence on some points and his excess on others, it is difficult not to believe that Mr. Burke is sorry, extremely sorry, that arbitrary power, the power of the Pope and the Bastille, are pulled down.

Not one glance of compassion, not one commiserating reflexion that I can find throughout his book, has he bestowed on those who lingered out the most wretched of lives, a life without hope in the most miserable of prisons. It is painful to behold a man employing his talents to corrupt himself. Nature has been kinder to Mr. Burke than he is to her. He is not affected by the reality of distress touching his heart, but by the showy resemblance of it striking his imagination. He pities the plumage, but forgets the dying bird. Accustomed to kiss the aristocratical hand that hath purloined him from himself, he degenerates into a composition of art, and the genuine soul of nature forsakes him. His hero or his heroine must be a tragedy-victim expiring

* Since writing the above, two other places occur in Mr. Burke's pamphlet in which the name of the Bastille is mentioned, but in the same manner. In the one he introduces it in a sort of obscure question, and asks: "Will any ministers who now serve such a king, with but a decent appearance of respect, cordially obey the orders of those whom but the other day, *in his name*, they had committed to the Bastille?" In the other the taking it is mentioned as implying criminality in the French guards, who assisted in demolishing it. "They have not, "says he, "forgot the taking the king's castles at Paris." This is Mr. Burke, who pretends to write on constitutional freedom.—*Author*.

in show, and not the real prisoner of misery, sliding into death in the silence of a dungeon.

As Mr. Burke has passed over the whole transaction of the Bastille (and his silence is nothing in his favor), and has entertained his readers with reflections on supposed facts distorted into real falsehoods, I will give, since he has not, some account of the circumstances which preceded that transaction. They will serve to shew that less mischief could scarcely have accompanied such an event when considered with the treacherous and hostile aggravations of the enemies of the Revolution.

The mind can hardly picture to itself a more tremendous scene than what the city of Paris exhibited at the time of taking the Bastille, and for two days before and after, nor perceive the possibility of its quieting so soon. At a distance this transaction has appeared only as an act of heroism standing on itself, and the close political connection it had with the Revolution is lost in the brilliancy of the achievement. But we are to consider it as the strength of the parties brought man to man, and contending for the issue. The Bastille was to be either the prize or the prison of the assailants. The downfall of it included the idea of the downfall of despotism, and this compounded image was become as figuratively united as Bunyan's Doubting Castle and Giant Despair.[1]

The National Assembly, before and at the time of taking the Bastille, was sitting at Versailles, twelve miles distant from Paris. About a week before the rising of the Parisians, and their taking the Bastille, it was discovered that a plot was forming, at the head of which was the Count d'Artois, the king's youngest brother, for demolishing the National Assembly, seizing its members, and thereby crushing, by a *coup de main*, all hopes and prospects of forming a free government. For the sake of humanity, as well as freedom, it is well this plan did not succeed. Examples are not wanting to show how dreadfully vindictive and cruel are all old governments, when they are successful against what they call a revolt.

[1] In the French edition this allusion is explained in a footnote.—*Editor.*

This plan must have been some time in contemplation; because, in order to carry it into execution, it was necessary to collect a large military force round Paris, and cut off the communication between that city and the National Assembly at Versailles. The troops destined for this service were chiefly the foreign troops in the pay of France, and who, for this particular purpose, were drawn from the distant provinces where they were then stationed. When they were collected to the amount of between twenty-five and thirty thousand, it was judged time to put the plan into execution. The ministry who were then in office, and who were friendly to the Revolution, were instantly dismissed and a new ministry formed of those who had concerted the project, among whom was Count de Broglio, and to his share was given the command of those troops. The character of this man as described to me in a letter which I communicated to Mr. Burke before he began to write his book, and from an authority which Mr. Burke well knows was good, was that of "a high-flying aristocrat, cool, and capable of every mischief."

While these matters were agitating the National Assembly stood in the most perilous and critical situation that a body of men can be supposed to act in. They were the devoted victims, and they knew it. They had the hearts and wishes of their country on their side, but military authority they had none. The guards of Broglio surrounded the hall where the Assembly sat, ready, at the word of command, to seize their persons, as had been done the year before to the Parliament of Paris. Had the National Assembly deserted their trust, or had they exhibited signs of weakness or fear, their enemies had been encouraged and their country depressed. When the situation they stood in, the cause they were engaged in, and the crisis then ready to burst, which should determine their personal and political fate and that of their country, and probably of Europe, are taken into one view, none but a heart callous with prejudice or corrupted by dependence can avoid interesting itself in their success.

The Archbishop of Vienne was at this time President of

the National Assembly—a person too old to undergo the scene that a few days or a few hours might bring forth. A man of more activity and bolder fortitude was necessary, and the National Assembly chose (under the form of a Vice-President, for the Presidency still resided in the Archbishop) M. de la Fayette; and this is the only instance of a Vice-President being chosen. It was at the moment that this storm was pending (July 11th) that a declaration of rights was brought forward by M. de la Fayette, and is the same which is alluded to in p. [282.] It was hastily drawn up, and makes only a part of the more extensive declaration of rights agreed upon and adopted afterwards by the National Assembly. The particular reason for bringing it forward at this moment (M. de la Fayette has since informed me) was that, if the National Assembly should fall in the threatened destruction that then surrounded it, some trace of its principles might have the chance of surviving the wreck.

Everything now was drawing to a crisis. The event was freedom or slavery. On one side, an army of nearly thirty thousand men; on the other, an unarmed body of citizens —for the citizens of Paris, on whom the National Assembly must then immediately depend, were as unarmed and as undisciplined as the citizens of London are now. The French guards had given strong symptoms of their being attached to the national cause; but their numbers were small, not a tenth part of the force that Broglio commanded, and their officers were in the interest of Broglio.

Matters being now ripe for execution, the new ministry made their appearance in office. The reader will carry in his mind that the Bastille was taken the 14th July; the point of time I am now speaking of is the 12th. Immediately on the news of the change of ministry reaching Paris, in the afternoon, all the playhouses and places of entertainment, shops and houses, were shut up. The change of ministry was considered as the prelude of hostilities, and the opinion was rightly founded.

The foreign troops began to advance towards the city. The Prince de Lambesc, who commanded a body of German

cavalry, approached by the Place of Lewis XV., which connects itself with some of the streets. In his march, he insulted and struck an old man with a sword. The French are remarkable for their respect to old age; and the insolence with which it appeared to be done, uniting with the general fermentation they were in, produced a powerful effect, and a cry of "To arms! to arms!" spread itself in a moment over the city.

Arms they had none, nor scarcely anyone who knew the use of them; but desperate resolution, when every hope is at stake, supplies, for a while, the want of arms. Near where the Prince de Lambesc was drawn up, were large piles of stones collected for building the new bridge, and with these the people attacked the cavalry. A party of French guards upon hearing the firing, rushed from their quarters and joined the people; and night coming on, the cavalry retreated.

The streets of Paris, being narrow, are favorable for defence, and the loftiness of the houses, consisting of many stories, from which great annoyance might be given, secured them against nocturnal enterprises; and the night was spent in providing themselves with every sort of weapon they could make or procure: guns, swords, blacksmiths' hammers, carpenters' axes, iron crows, pikes, halberts, pitchforks, spits, clubs, etc., etc. The incredible numbers in which they assembled the next morning, and the still more incredible resolution they exhibited, embarrassed and astonished their enemies. Little did the new ministry expect such a salute. Accustomed to slavery themselves, they had no idea that liberty was capable of such inspiration, or that a body of unarmed citizens would dare to face the military force of thirty thousand men. Every moment of this day was employed in collecting arms, concerting plans, and arranging themselves into the best order which such an instantaneous movement could afford. Broglio continued lying round the city, but made no further advances this day, and the succeeding night passed with as much tranquility as such a scene could possibly produce.

But defence only was not the object of the citizens. They had a cause at stake, on which depended their freedom or their slavery. They every moment expected an attack, or to hear of one made on the National Assembly; and in such a situation, the most prompt measures are sometimes the best. The object that now presented itself was the Bastille; and the *éclat* of carrying such a fortress in the face of such an army, could not fail to strike terror into the new ministry, who had scarcely yet had time to meet. By some intercepted correspondence this morning, it was discovered that the Mayor of Paris, M. Defflesselles, who appeared to be in the interest of the citizens, was betraying them; and from this discovery, there remained no doubt that Broglio would reinforce the Bastille the ensuing evening. It was therefore necessary to attack it that day; but before this could be done, it was first necessary to procure a better supply of arms than they were then possessed of.

There was, adjoining to the city a large magazine of arms deposited at the Hospital of the Invalids, which the citizens summoned to surrender; and as the place was neither defensible, nor attempted much defence, they soon succeeded. Thus supplied, they marched to attack the Bastille; a vast mixed multitude of all ages, and of all degrees, armed with all sorts of weapons. Imagination would fail in describing to itself the appearance of such a procession, and of the anxiety of the events which a few hours or a few minutes might produce. What plans the ministry were forming, were as unknown to the people within the city, as what the citizens were doing was unknown to the ministry; and what movements Broglio might make for the support or relief of the place, were to the citizens equally as unknown. All was mystery and hazard.

That the Bastille was attacked with an enthusiasm of heroism, such only as the highest animation of liberty could inspire, and carried in the space of a few hours, is an event which the world is fully possessed of. I am not undertaking the detail of the attack, but bringing into view the conspiracy against the nation which provoked it, and which fell with

the Bastille. The prison to which the new ministry were dooming the National Assembly, in addition to its being the high altar and castle of despotism, became the proper object to begin with. This enterprise broke up the new ministry, who began now to fly from the ruin they had prepared for others. The troops of Broglio dispersed, and himself fled also.

Mr. Burke has spoken a great deal about plots, but he has never once spoken of this plot against the National Assembly, and the liberties of the nation; and that he might not, he has passed over all the circumstances that might throw it in his way. The exiles who have fled from France, whose case he so much interests himself in, and from whom he has had his lesson, fled in consequence of the miscarriage of this plot. No plot was formed against them; they were plotting against others; and those who fell, met, not unjustly, the punishment they were preparing to execute. But will Mr. Burke say, that if this plot, contrived with the subtilty of an ambuscade, had succeeded, the successful party would have restrained their wrath so soon? Let the history of all governments answer the question.

Whom has the National Assembly brought to the scaffold? None. They were themselves the devoted victims of this plot, and they have not retaliated; why, then, are they charged with revenge they have not acted? In the tremendous breaking forth of a whole people, in which all degrees, tempers and characters are confounded, delivering themselves, by a miracle of exertion, from the destruction meditated against them, is it to be expected that nothing will happen? When men are sore with the sense of oppressions, and menaced with the prospects of new ones, is the calmness of philosophy or the palsy of insensibility to be looked for? Mr. Burke exclaims against outrage; yet the greatest is that which himself has committed. His book is a volume of outrage, not apologised for by the impulse of a moment, but cherished through a space of ten months; yet Mr. Burke had no provocation—no life, no interest, at stake.

More of the citizens fell in this struggle than of their opponents: but four or five persons were seized by the populace,

and instantly put to death; the Governor of the Bastille, and the Mayor of Paris, who was detected in the act of betraying them; and afterwards Foulon, one of the new ministry, and Berthier, his son-in-law, who had accepted the office of intendant of Paris. Their heads were struck upon spikes, and carried about the city; and it is upon this mode of punishment that Mr. Burke builds a great part of his tragic scene. Let us therefore examine how men came by the idea of punishing in this manner.

They learn it from the governments they live under; and retaliate the punishments they have been accustomed to behold. The heads stuck upon spikes, which remained for years upon Temple Bar, differed nothing in the horror of the scene from those carried about upon spikes at Paris; yet this was done by the English Government. It may perhaps be said that it signifies nothing to a man what is done to him after he is dead; but it signifies much to the living; it either tortures their feelings or hardens their hearts, and in either case it instructs them how to punish when power falls into their hands.

Lay then the axe to the root, and teach governments humanity. It is their sanguinary punishments which corrupt mankind. In England the punishment in certain cases is by *hanging*, *drawing* and *quartering;* the heart of the sufferer is cut out and held up to the view of the populace. In France, under the former Government, the punishments were not less barbarous. Who does not remember the execution of Damien, torn to pieces by horses? The effect of those cruel spectacles exhibited to the populace is to destroy tenderness or excite revenge; and by the base and false idea of governing men by terror, instead of reason, they become precedents. It is over the lowest class of mankind that government by terror is intended to operate, and it is on them that it operates to the worst effect. They have sense enough to feel they are the objects aimed at; and they inflict in their turn the examples of terror they have been instructed to practise.

There is in all European countries a large class of people

of that description, which in England is called the "*mob.*" Of this class were those who committed the burnings and devastations in London in 1780, and of this class were those who carried the heads upon spikes in Paris. Foulon and Berthier were taken up in the country, and sent to Paris, to undergo their examination at the Hotel de Ville; for the National Assembly, immediately on the new ministry coming into office, passed a decree, which they communicated to the King and Cabinet, that they (the National Assembly) would hold the ministry, of which Foulon was one, responsible for the measures they were advising and pursuing; but the mob, incensed at the appearance of Foulon and Berthier, tore them from their conductors before they were carried to the Hotel de Ville, and executed them on the spot. Why then does Mr. Burke charge outrages of this kind on a whole people? As well may he charge the riots and outrages of 1780 on all the people of London, or those in Ireland on all his countrymen.

But everything we see or hear offensive to our feelings and derogatory to the human character should lead to other reflections than those of reproach. Even the beings who commit them have some claim to our consideration. How then is it that such vast classes of mankind as are distinguished by the appellation of the vulgar, or the ignorant mob, are so numerous in all old countries? The instant we ask ourselves this question, reflection feels an answer. They rise, as an unavoidable consequence, out of the ill construction of all old governments in Europe, England included with the rest. It is by distortedly exalting some men, that others are distortedly debased, till the whole is out of nature. A vast mass of mankind are degradedly thrown into the back-ground of the human picture, to bring forward, with greater glare, the puppet-show of state and aristocracy. In the commencement of a revolution, those men are rather the followers of the *camp* than of the *standard* of liberty, and have yet to be instructed how to reverence it.

I give to Mr. Burke all his theatrical exaggerations for facts, and I then ask him if they do not establish the cer-

tainty of what I here lay down? Admitting them to be true, they show the necessity of the French Revolution, as much as any one thing he could have asserted. These outrages were not the effect of the principles of the Revolution, but of the degraded mind that existed before the Revolution, and which the Revolution is calculated to reform. Place them then to their proper cause, and take the reproach of them to your own side.

It is the honour of the National Assembly and the city of Paris that, during such a tremendous scene of arms and confusion, beyond the controul of all authority, they have been able, by the influence of example and exhortation, to restrain so much. Never were more pains taken to instruct and enlighten mankind, and to make them see that their interest consisted in their virtue, and not in their revenge, than have been displayed in the Revolution of France. I now proceed to make some remarks on Mr. Burke's account of the expedition to Versailles, October the 5th and 6th.

I can consider Mr. Burke's book in scarcely any other light than a dramatic performance; and he must, I think, have considered it in the same light himself, by the poetical liberties he has taken of omitting some facts, distorting others, and making the whole machinery bend to produce a stage effect. Of this kind is his account of the expedition to Versailles. He begins this account by omitting the only facts which as causes are known to be true; everything beyond these is conjecture, even in Paris; and he then works up a tale accommodated to his own passions and prejudices.

It is to be observed throughout Mr. Burke's book that he never speaks of plots *against* the Revolution; and it is from those plots that all the mischiefs have arisen. It suits his purpose to exhibit the consequences without their causes. It is one of the arts of the drama to do so. If the crimes of men were exhibited with their sufferings, stage effect would sometimes be lost, and the audience would be inclined to approve where it was intended they should commiserate.

After all the investigations that have been made into this

intricate affair (the expedition to Versailles), it still remains enveloped in all that kind of mystery which ever accompanies events produced more from a concurrence of awkward circumstances than from fixed design. While the characters of men are forming, as is always the case in revolutions, there is a reciprocal suspicion, and a disposition to misinterpret each other; and even parties directly opposite in principle will sometimes concur in pushing forward the same movement with very different views, and with the hopes of its producing very different consequences. A great deal of this may be discovered in this embarrassed affair, and yet the issue of the whole was what nobody had in view.

The only things certainly known are that considerable uneasiness was at this time excited at Paris by the delay of the King in not sanctioning and forwarding the decrees of the National Assembly, particularly that of the *Declaration of the Rights of Man*, and the decrees of the *fourth of August*, which contained the foundation principles on which the constitution was to be erected. The kindest, and perhaps the fairest conjecture upon this matter is, that some of the ministers intended to make remarks and observations upon certain parts of them before they were finally sanctioned and sent to the provinces; but be this as it may, the enemies of the Revolution derived hope from the delay, and the friends of the Revolution uneasiness.

During this state of suspense, the *Garde du Corps*, which was composed as such regiments generally are, of persons much connected with the Court, gave an entertainment at Versailles (October 1) to some foreign regiments then arrived; and when the entertainment was at the height, on a signal given, the *Garde du Corps* tore the national cockade from their hats, trampled it under foot, and replaced it with a counter-cockade prepared for the purpose. An indignity of this kind amounted to defiance. It was like declaring war; and if men will give challenges they must expect consequences. But all this Mr. Burke has carefully kept out of sight. He begins his account by saying: "History will record that on the morning of the 6th October, 1789, the

King and Queen of France, after a day of confusion, alarm, dismay, and slaughter, lay down under the pledged security of public faith to indulge nature in a few hours of respite, and troubled melancholy repose." This is neither the sober stile of history, nor the intention of it. It leaves everything to be guessed at and mistaken. One would at least think there had been a battle; and a battle there probably would have been had it not been for the moderating prudence of those whom Mr. Burke involves in his censures. By his keeping the *Garde du Corps* out of sight Mr. Burke has afforded himself the dramatic licence of putting the King and Queen in their places, as if the object of the expedition was against them. But to return to my account—

This conduct of the *Garde du Corps*, as might well be expected, alarmed and enraged the Parisians. The colors of the cause, and the cause itself, were become too united to mistake the intention of the insult, and the Parisians were determined to call the *Garde du Corps* to an account. There was certainly nothing of the cowardice of assassination in marching in the face of the day to demand satisfaction, if such a phrase may be used, of a body of armed men who had voluntarily given defiance. But the circumstance which serves to throw this affair into embarrassment is, that the enemies of the Revolution appear to have encouraged it as well as its friends. The one hoped to prevent a civil war by checking it in time, and the other to make one. The hopes of those opposed to the Revolution rested in making the King of their party, and getting him from Versailles to Metz, where they expected to collect a force and set up a standard. We have, therefore, two different objects presenting themselves at the same time, and to be accomplished by the same means: the one to chastise the *Garde du Corps*, which was the object of the Parisians; the other to render the confusion of such a scene an inducement to the King to set off for Metz.

On the 5th of October a very numerous body of women, and men in the disguise of women, collected round the Ho-

tel de Ville or town-hall at Paris, and set off for Versailles. Their professed object was the *Garde du Corps;* but prudent men readily recollect that mischief is more easily begun than ended; and this impressed itself with the more force from the suspicions already stated, and the irregularity of such a cavalcade. As soon, therefore, as a sufficient force could be collected, M. de la Fayette, by orders from the civil authority of Paris, set off after them at the head of twenty thousand of the Paris militia. The Revolution could derive no benefit from confusion, and its opposers might. By an amiable and spirited manner of address he had hitherto been fortunate in calming disquietudes, and in this he was extraordinarily successful; to frustrate, therefore, the hopes of those who might seek to improve this scene into a sort of justifiable necessity for the King's quitting Versailles and withdrawing to Metz, and to prevent at the same time the consequences that might ensue between the *Garde du Corps* and this phalanx of men and women, he forwarded expresses to the King, that he was on his march to Versailles, by the orders of the civil authority of Paris, for the purpose of peace and protection, expressing at the same time the necessity of restraining the *Garde du Corps* from firing upon the people.*

He arrived at Versailles between ten and eleven at night. The *Garde du Corps* was drawn up, and the people had arrived some time before, but everything had remained suspended. Wisdom and policy now consisted in changing a scene of danger into a happy event. M. de la Fayette became the mediator between the enraged parties; and the King, to remove the uneasiness which had arisen from the delay already stated, sent for the President of the National Assembly, and signed the *Declaration of the Rights of Man,* and such other parts of the constitution as were in readiness.

It was now about one in the morning. Everything appeared to be composed, and a general congratulation took place. By the beat of a drum a proclamation was made that

* I am warranted in asserting this, as I had it personally from M. de la Fayette, with whom I lived in habits of friendship for fourteen years.—*Author.*

the citizens of Versailles would give the hospitality of their houses to their fellow-citizens of Paris. Those who could not be accommodated in this manner remained in the streets, or took up their quarters in the churches; and at two o'clock the King and Queen retired.

In this state matters passed till the break of day, when a fresh disturbance arose from the censurable conduct of some of both parties, for such characters there will be in all such scenes. One of the *Garde du Corps* appeared at one of the windows of the palace, and the people who had remained during the night in the streets accosted him with reviling and provocative language. Instead of retiring, as in such a case prudence would have dictated, he presented his musket, fired, and killed one of the Paris militia. The peace being thus broken, the people rushed into the palace in quest of the offender. They attacked the quarters of the *Garde de Corps* within the palace, and pursued them throughout the avenues of it, and to the apartments of the King. On this tumult, not the Queen only, as Mr. Burke has represented it, but every person in the palace, was awakened and alarmed; and M. de la Fayette had a second time to interpose between the parties, the event of which was that the *Garde du Corps* put on the national cockade, and the matter ended as by oblivion, after the loss of two or three lives.

During the latter part of the time in which this confusion was acting, the King and Queen were in public at the balcony, and neither of them concealed for safety's sake, as Mr. Burke insinuates. Matters being thus appeased, and tranquility restored, a general acclamation broke forth of *Le Roi à Paris—Le Roi à Paris*—The King to Paris. It was the shout of peace, and immediately accepted on the part of the King. By this measure all future projects of trapanning the King to Metz, and setting up the standard opposition to the constitution, were prevented, and the suspicions extinguished. The King and his family reached Paris in the evening, and were congratulated on their arrival by M. Bailly, the Mayor of Paris, in the name of the citi-

zens. Mr. Burke, who throughout his book confounds things, persons, and principles, as in his remarks on M. Bailly's address, confounded time also. He censures M. Bailly for calling it "*un bon jour*," a good day. Mr. Burke should have informed himself that this scene took up the space of two days, the day on which it began with every appearance of danger and mischief, and the day on which it terminated without the mischiefs that threatened; and that it is to this peaceful termination that M. Bailly alludes, and to the arrival of the King at Paris. Not less than three hundred thousand persons arranged themselves in the procession from Versailles to Paris, and not an act of molestation was committed during the whole march.

Mr. Burke on the authority of M. Lally Tollendal, a deserter from the National Assembly, says, that on entering Paris, the people shouted "*Tous les évèques à la lanterne.*" All Bishops to be hanged at the lanthorn or lamp-posts. It is surprising that nobody could hear this but Lally Tollendal, and that nobody should believe it but Mr. Burke. It has not the least connexion with any part of the transaction, and is totally foreign to every circumstance of it. The Bishops had never been introduced before into any scene of Mr. Burke's drama: why then are they, all at once, and altogether, *tout à coup, et tous ensemble*, introduced now? Mr. Burke brings forward his Bishops and his lanthorn-like figures in a magic lanthorn, and raises his scenes by contrast instead of connection. But it serves to show, with the rest of his book what little credit ought to be given where even probability is set at defiance, for the purpose of defaming; and with this reflexion, instead of a soliloquy in praise of chivalry, as Mr. Burke has done, I close the account of the expedition to Versailles.*

I have now to follow Mr. Burke through a pathless wilderness of rhapsodies, and a sort of descant upon govern-

* An account of the expedition to Versailles may be seen in No. 13 of the *Revolution de Paris* containing the events from the 3rd to the 10th of October, 1789.—*Author.*

ments, in which he asserts whatever he pleases, on the presumption of its being believed, without offering either evidence or reasons for so doing.

Before anything can be reasoned upon to a conclusion, certain facts, principles, or data, to reason from, must be established, admitted, or denied. Mr. Burke with his usual outrage, abused the *Declaration of the Rights of Man*, published by the National Assembly of France, as the basis on which the constitution of France is built. This he calls "paltry and blurred sheets of paper about the rights of man." Does Mr. Burke mean to deny that *man* has any rights? If he does, then he must mean that there are no such things as rights anywhere, and that he has none himself; for who is there in the world but man? But if Mr. Burke means to admit that man has rights, the question then will be: What are those rights, and how man came by them originally?

The error of those who reason by precedents drawn from antiquity, respecting the rights of man, is that they do not go far enough into antiquity. They do not go the whole way. They stop in some of the intermediate stages of an hundred or a thousand years, and produce what was then done, as a rule for the present day. This is no authority at all. If we travel still farther into antiquity, we shall find a direct contrary opinion and practice prevailing; and if antiquity is to be authority, a thousand such authorities may be produced, successively contradicting each other; but if we proceed on, we shall at last come out right; we shall come to the time when man came from the hand of his Maker. What was he then? Man. Man was his high and only title, and a higher cannot be given him. But of titles I shall speak hereafter.

We are now got at the origin of man, and at the origin of his rights. As to the manner in which the world has been governed from that day to this, it is no farther any concern of ours than to make a proper use of the errors or the improvements which the history of it presents. Those who lived a hundred or a thousand years ago, were then

moderns, as we are now. They had *their* ancients, and those ancients had others, and we also shall be ancients in our turn. If the mere name of antiquity is to govern in the affairs of life, the people who are to live an hundred or a thousand years hence, may as well take us for a precedent, as we make a precedent of those who lived an hundred or a thousand years ago. The fact is, that portions of antiquity, by proving everything, establish nothing. It is authority against authority all the way, till we come to the divine origin of the rights of man at the creation. Here our enquiries find a resting-place, and our reason finds a home. If a dispute about the rights of man had arisen at the distance of an hundred years from the creation, it is to this source of authority they must have referred, and it is to this same source of authority that we must now refer.

Though I mean not to touch upon any sectarian principle of religion, yet it may be worth observing, that the genealogy of Christ is traced to Adam. Why then not trace the rights of man to the creation of man? I will answer the question. Because there have been upstart governments, thrusting themselves between, and presumptuously working to *un-make* man.

If any generation of men ever possessed the right of dictating the mode by which the world should be governed for ever, it was the first generation that existed; and if that generation did it not, no succeeding generation can show any authority for doing it, nor can set any up. The illuminating and divine principle of the equal rights of man (for it has its origin from the Maker of man) relates, not only to the living individuals, but to generations of men succeeding each other. Every generation is equal in rights to generations which preceded it, by the same rule that every individual is born equal in rights with his contemporary.

Every history of the creation, and every traditionary account, whether from the lettered or unlettered world, however they may vary in their opinion or belief of certain particulars, all agree in establishing one point, *the unity of man;* by which I mean that men are all of *one degree*, and con-

sequently that all men are born equal, and with equal natural right, in the same manner as if posterity had been continued by *creation* instead of *generation*, the latter being the only mode by which the former is carried forward; and consequently every child born into the world must be considered as deriving its existence from God. The world is as new to him as it was to the first man that existed, and his natural right in it is of the same kind.

The Mosaic account of the creation, whether taken as divine authority or merely historical, is full to this point, *the unity or equality of man.* The expression admits of no controversy. "And God said, Let us make man in our own image. In the image of God created he him; male and female created he them." The distinction of sexes is pointed out, but no other distinction is even implied. If this be not divine authority, it is at least historical authority, and shews that the equality of man, so far from being a modern doctrine, is the oldest upon record.

It is also to be observed that all the religions known in the world are founded, so far as they relate to man, on the *unity of man*, as being all of one degree. Whether in heaven or in hell, or in whatever state man may be supposed to exist hereafter, the good and the bad are the only distinctions. Nay, even the laws of governments are obliged to slide into this principle, by making degrees to consist in crimes and not in persons.

It is one of the greatest of all truths, and of the highest advantage to cultivate. By considering man in this light, and by instructing him to consider himself in this light, it places him in a close connection with all his duties, whether to his Creator or to the creation, of which he is a part; and it is only when he forgets his origin, or, to use a more fashionable phrase, his *birth and family*, that he becomes dissolute. It is not among the least of the evils of the present existing governments in all parts of Europe that man, considered as man, is thrown back to a vast distance from his Maker, and the artificial chasm filled up with a succession of barriers, or sort of turnpike gates, through which he has

to pass. I will quote Mr. Burke's catalogue of barriers that he has set up between man and his Maker. Putting himself in the character of a herald, he says: "We fear God —we look with *awe* to kings—with affection to Parliaments—with duty to magistrates—with reverence to priests, and with respect to nobility." Mr. Burke has forgotten to put in "*chivalry*." He has also forgotten to put in Peter.

The duty of man is not a wilderness of turnpike gates, through which he is to pass by tickets from one to the other. It is plain and simple, and consists but of two points. His duty to God, which every man must feel; and with respect to his neighbor, to do as he would be done by. If those to whom power is delegated do well, they will be respected: if not, they will be despised; and with regard to those to whom no power is delegated, but who assume it, the rational world can know nothing of them.

Hitherto we have spoken only (and that but in part) of the natural rights of man. We have now to consider the civil rights of man, and to show how the one originates from the other. Man did not enter into society to become *worse* than he was before, nor to have fewer rights than he had before, but to have those rights better secured. His natural rights are the foundation of all his civil rights. But in order to pursue this distinction with more precision, it will be necessary to mark the different qualities of natural and civil rights.

A few words will explain this. Natural rights are those which appertain to man in right of his existence. Of this kind are all the intellectual rights, or rights of the mind, and also all those rights of acting as an individual for his own comfort and happiness, which are not injurious to the natural rights of others. Civil rights are those which appertain to man in right of his being a member of society. Every civil right has for its foundation some natural right pre-existing in the individual, but to the enjoyment of which his individual power is not, in all cases, sufficiently competent. Of this kind are all those which relate to security and protection.

From this short review it will be easy to distinguish be-

tween that class of natural rights which man retains after entering into society and those which he throws into the common stock as a member of society.

The natural rights which he retains are all those in which the *power* to execute is as perfect in the individual as the right itself. Among this class, as is before mentioned, are all the intellectual rights, or rights of the mind; consequently religion is one of those rights. The natural rights which are not retained, are all those in which, though the right is perfect in the individual, the power to execute them is defective. They answer not his purpose. A man, by natural right, has a right to judge in his own cause; and so far as the right of the mind is concerned, he never surrenders it. But what availeth it him to judge, if he has not power to redress? He therefore deposits this right in the common stock of society, and takes the arm of society, of which he is a part, in preference and in addition to his own. Society *grants* him nothing. Every man is a proprietor in society, and draws on the capital as a matter of right.

From these premisses two or three certain conclusions will follow:

First, That every civil right grows out of a natural right; or, in other words, is a natural right exchanged.

Secondly, That civil power properly considered as such is made up of the aggregate of that class of the natural rights of man, which becomes defective in the individual in point of power, and answers not his purpose, but when collected to a focus becomes competent to the purpose of every one.

Thirdly, That the power produced from the aggregate of natural rights, imperfect in power in the individual, cannot be applied to invade the natural rights which are retained in the individual, and in which the power to execute is as perfect as the right itself.

We have now, in a few words, traced man from a natural individual to a member of society, and shewn, or endeavoured to shew, the quality of the natural rights retained, and of those which are exchanged for civil rights. Let us now apply these principles to governments.

In casting our eyes over the world, it is extremely easy to distinguish the governments which have arisen out of society, or out of the social compact, from those which have not; but to place this in a clearer light than what a single glance may afford, it will be proper to take a review of the several sources from which governments have arisen and on which they have been founded.

They may be all comprehended under three heads. First, Superstition. Secondly, Power. Thirdly, the common interest of society and the common rights of man.

The first was a government of priestcraft, the second of conquerors, and the third of reason.

When a set of artful men pretended, through the medium of oracles, to hold intercourse with the Deity, as familiarly as they now march up the back-stairs in European courts, the world was completely under the government of superstition. The oracles were consulted, and whatever they were made to say became the law; and this sort of government lasted as long as this sort of superstition lasted.

After these a race of conquerors arose, whose government, like that of William the Conqueror, was founded in power, and the sword assumed the name of a sceptre. Governments thus established last as long as the power to support them lasts; but that they might avail themselves of every engine in their favor, they united fraud to force, and set up an idol which they called *Divine Right*, and which, in imitation of the Pope, who affects to be spiritual and temporal, and in contradiction to the Founder of the Christian religion, twisted itself afterwards into an idol of another shape, called *Church and State*. The key of St. Peter and the key of the Treasury became quartered on one another, and the wondering cheated multitude worshipped the invention.

When I contemplate the natural dignity of man, when I feel (for Nature has not been kind enough to me to blunt my feelings) for the honour and happiness of its character, I become irritated at the attempt to govern mankind by force and fraud, as if they were all knaves and fools, and can scarcely avoid disgust at those who are thus imposed upon.

We have now to review the governments which arise out of society, in contradistinction to those which arose out of superstition and conquest.

It has been thought a considerable advance towards establishing the principles of Freedom to say that Government is a compact between those who govern and those who are governed; but this cannot be true, because it is putting the effect before the cause; for as man must have existed before governments existed, there necessarily was a time when governments did not exist, and consequently there could originally exist no governors to form such a compact with.

The fact therefore must be that the *individuals themselves*, each in his own personal and sovereign right, *entered into a compact with each other* to produce a government: and this is the only mode in which governments have a right to arise, and the only principle on which they have a right to exist.

To possess ourselves of a clear idea of what government is, or ought to be, we must trace it to its origin. In doing this we shall easily discover that governments must have arisen either *out* of the people or *over* the people. Mr. Burke has made no distinction. He investigates nothing to its source, and therefore he confounds everything; but he has signified his intention of undertaking, at some future opportunity, a comparison between the constitution of England and France. As he thus renders it a subject of controversy by throwing the gauntlet, I take him upon his own ground. It is in high challenges that high truths have the right of appearing; and I accept it with the more readiness because it affords me, at the same time, an opportunity of pursuing the subject with respect to governments arising out of society.

But it will be first necessary to define what is meant by a *Constitution*. It is not sufficient that we adopt the word; we must fix also a standard signification to it.

A constitution is not a thing in name only, but in fact. It has not an ideal, but a real existence; and wherever it cannot be produced in a visible form, there is none. A

constitution is a thing *antecedent* to a government, and a government is only the creature of a constitution. The constitution of a country is not the act of its government, but of the people constituting its government. It is the body of elements, to which you can refer, and quote article by article; and which contains the principles on which the government shall be established, the manner in which it shall be organised, the powers it shall have, the mode of elections, the duration of Parliaments, or by what other name such bodies may be called; the powers which the executive part of the government shall have; and in fine, everything that relates to the complete organization of a civil government, and the principles on which it shall act, and by which it shall be bound. A constitution, therefore, is to a government what the laws made afterwards by that government are to a court of judicature. The court of judicature does not make the laws, neither can it alter them; it only acts in conformity to the laws made: and the government is in like manner governed by the constitution.

Can, then, Mr. Burke produce the English Constitution? If he cannot, we may fairly conclude that though it has been so much talked about, no such thing as a constitution exists, or ever did exist, and consequently that the people have yet a constitution to form.

Mr. Burke will not, I presume, deny the position I have already advanced—namely, that governments arise either *out* of the people or *over* the people. The English Government is one of those which arose out of a conquest, and not out of society, and consequently it arose over the people; and though it has been much modified from the opportunity of circumstances since the time of William the Conqueror, the country has never yet regenerated itself, and is therefore without a constitution.

I readily perceive the reason why Mr. Burke declined going into the comparison between the English and French constitutions, because he could not but perceive, when he sat down to the task, that no such a thing as a constitution existed on his side the question. His book is certainly bulky

enough to have contained all he could say on this subject, and it would have been the best manner in which people could have judged of their separate merits. Why then has he declined the only thing that was worth while to write upon? It was the strongest ground he could take, if the advantages were on his side, but the weakest if they were not; and his declining to take it is either a sign that he could not possess it or could not maintain it.

Mr. Burke said, in a speech last winter in Parliament, "that when the National Assembly first met in three Orders (the Tiers Etats, the Clergy, and the Noblesse), France had then a good constitution." This shews, among numerous other instances, that Mr. Burke does not understand what a constitution is. The persons so met were not a *constitution*, but a *convention*, to make a constitution.

The present National Assembly of France is, strictly speaking, the personal social compact. The members of it are the delegates of the nation in its *original* character; future assemblies will be the delegates of the nation in its *organised* character. The authority of the present Assembly is different from what the authority of future Assemblies will be. The authority of the present one is to form a constitution; the authority of future assemblies will be to legislate according to the principles and forms prescribed in that constitution; and if experience should hereafter shew that alterations, amendments, or additions are necessary, the constitution will point out the mode by which such things shall be done, and not leave it to the discretionary power of the future government.

A government on the principles on which constitutional governments arising out of society are established, cannot have the right of altering itself. If it had, it would be arbitrary. It might make itself what it pleased; and wherever such a right is set up, it shows there is no constitution. The act by which the English Parliament empowered itself to sit seven years, shows there is no constitution in England. It might, by the same self-authority, have sat any great number of years, or for life. The bill which the present Mr.

Pitt brought into Parliament some years ago, to reform Parliament, was on the same erroneous principle. The right of reform is in the nation in its original character, and the constitutional method would be by a general convention elected for the purpose. There is, moreover, a paradox in the idea of vitiated bodies reforming themselves.

From these preliminaries I proceed to draw some comparisons. I have already spoken of the declaration of rights; and as I mean to be as concise as possible, I shall proceed to other parts of the French Constitution.

The constitution of France says, that every man who pays a tax of sixty sous *per annum* (2s. 6d. English) is an elector. What article will Mr. Burke place against this? Can anything be more limited, and at the same time more capricious, than the qualification of electors is in England? Limited—because not one man in an hundred (I speak much within compass) is admitted to vote. Capricious—because the lowest character that can be supposed to exist, and who has not so much as the visible means of an honest livelihood, is an elector in some places: while in other places, the man who pays very large taxes, and has a known fair character, and the farmer who rents to the amount of three or four hundred pounds a year, with a property on that farm to three or four times that amount, is not admitted to be an elector. Everything is out of nature, as Mr. Burke says on another occasion, in this strange chaos, and all sorts of follies are blended with all sorts of crimes. William the Conqueror and his descendants parcelled out the country in this manner, and bribed some parts of it by what they call charters to hold the other parts of it the better subjected to their will. This is the reason why so many of those charters abound in Cornwall; the people were averse to the Government established at the Conquest, and the towns were garrisoned and bribed to enslave the country. All the old charters are the badges of this conquest, and it is from this source that the capriciousness of election arises.

The French Constitution says, that the number of representatives for any place shall be in a ratio to the number of

taxable inhabitants or electors. What article will Mr. Burke place against this? The county of York, which contains nearly a million of souls, sends two county members; and so does the county of Rutland, which contains not an hundredth part of that number. The town of Old Sarum, which contains not three houses, sends two members; and the town of Manchester, which contains upward of sixty thousand souls, is not admitted to send any. Is there any principle in these things?[1] Is there anything by which you can trace the marks of freedom, or discover those of wisdom? No wonder then Mr. Burke has declined the comparison, and endeavored to lead his readers from the point by a wild, unsystematical display of paradoxical rhapsodies.

The French Constitution says that the National Assembly shall be elected every two years. What article will Mr. Burke place against this? Why, that the nation has no right at all in the case; that the government is perfectly arbitrary with respect to this point; and he can quote for his authority the precedent of a former Parliament.

The French Constitution says there shall be no game laws, that the farmer on whose lands wild game shall be found (for it is by the produce of his lands they are fed) shall have a right to what he can take; that there shall be no monopolies of any kind—that all trades shall be free and every man free to follow any occupation by which he can procure an honest livelihood, and in any place, town, or city throughout the nation. What will Mr. Burke say to this? In England, game is made the property of those at whose expense it is not fed; and with respect to monopolies, the country is cut up into monopolies. Every chartered town

[1] The English rotten borough system was quoted in the United States Constitutional Convention, 1787, as precedent for the disproportionate representation embodied in the Senate. But the new Constitution in America had been little studied in 1791 by Paine, and, fortunately for this argument, less by his opponents. In a modern English edition Paine's text is invaded by the anachronism: "It is admitted that all this is altered, but there is much to be done yet, before we have a fair representation of the people."—*Editor.*

is an aristocratical monopoly in itself, and the qualification of electors proceeds out of those chartered monopolies. Is this freedom? Is this what Mr. Burke means by a constitution?

In these chartered monopolies, a man coming from another part of the country is hunted from them as if he were a foreign enemy. An Englishman is not free of his own country; every one of those places presents a barrier in his way, and tells him he is not a freeman—that he has no rights. Within these monopolies are other monopolies. In a city, such for instance as Bath, which contains between twenty and thirty thousand inhabitants, the right of electing representatives to Parliament is monopolised by about thirty-one persons. And within these monopolies are still others. A man even of the same town, whose parents were not in circumstances to give him an occupation, is debarred, in many cases, from the natural right of acquiring one, be his genius or industry what it may.

Are these things examples to hold out to a country regenerating itself from slavery, like France? Certainly they are not, and certain am I, that when the people of England come to reflect upon them they will, like France, annihilate those badges of ancient oppression, those traces of a conquered nation. Had Mr. Burke possessed talents similar to the author of "On the Wealth of Nations," he would have comprehended all the parts which enter into, and, by assemblage, form a constitution. He would have reasoned from minutiæ to magnitude. It is not from his prejudices only, but from the disorderly cast of his genius, that he is unfitted for the subject he writes upon. Even his genius is without a constitution. It is a genius at random, and not a genius constituted. But he must say something. He has therefore mounted in the air like a balloon, to draw the eyes of the multitude from the ground they stand upon.

Much is to be learned from the French Constitution. Conquest and tyranny transplanted themselves with William the Conqueror from Normandy into England, and the country is yet disfigured with the marks. May, then, the

example of all France contribute to regenerate the freedom which a province of it destroyed!

The French Constitution says that to preserve the national representation from being corrupt no member of the National Assembly shall be an officer of the government, a placeman or a pensioner. What will Mr. Burke place against this? I will whisper his answer; *Loaves and Fishes.* Ah! this government of loaves and fishes has more mischief in it than people have yet reflected on. The National Assembly has made the discovery, and it holds out the example to the world. Had governments agreed to quarrel on purpose to fleece their countries by taxes, they could not have succeeded better than they have done.

Everything in the English government appears to me the reverse of what it ought to be, and of what it is said to be.[1] The Parliament, imperfectly and capriciously elected as it is, is nevertheless *supposed* to hold the national purse in *trust* for the nation; but in the manner in which an English Parliament is constructed it is like a man being both mortgagor and mortgagee, and in the case of misapplication of trust it is the criminal sitting in judgment upon himself. If those who vote the supplies are the same persons who receive the supplies when voted, and are to account for the expenditure of those supplies to those who voted them, it is *themselves accountable to themselves*, and the Comedy of Errors concludes with the pantomime of *Hush.* Neither the Ministerial party nor the Opposition will touch upon this case. The national purse is the common hack which each mounts upon. It is like what the country people call "Ride and tie—you ride a little way, and then I."* They order these things better in France.

[1] In Jordan's addition, which superseded Johnson's (of which only a few copies obtained circulation) this sentence begins, "Many things, etc." But Burke, in his "Appeal," was careful to quote the original sentence.—*Editor.*

* It is a practice in some parts of the country, when two travellers have but one horse, which, like the national purse, will not carry double, that the one mounts and rides two or three miles ahead, and then ties the horse to a gate and walks on. When the second traveller arrives he takes the horse, rides on, and passes his companion a mile or two, and ties again, and so on—*Ride and tie.—Author.*

The French Constitution says that the right of war and peace is in the nation. Where else should it reside but in those who are to pay the expense?

In England this right is said to reside in a *metaphor* shown at the Tower for sixpence or a shilling a piece: so are the lions; and it would be a step nearer to reason to say it resided in them, for any inanimate metaphor is no more than a hat or a cap. We can all see the absurdity of worshipping Aaron's molten calf, or Nebuchadnezzar's golden image; but why do men continue to practise themselves the absurdities they despise in others?

It may with reason be said that in the manner the English nation is represented it signifies not where the right resides, whether in the Crown or in the Parliament. War is the common harvest of all those who participate in the division and expenditure of public money, in all countries. It is the art of *conquering at home;* the object of it is an increase of revenue; and as revenue cannot be increased without taxes, a pretence must be made for expenditure. In reviewing the history of the English Government, its wars and its taxes, a bystander, not blinded by prejudice nor warped by interest, would declare that taxes were not raised to carry on wars, but that wars were raised to carry on taxes.

Mr. Burke, as a member of the House of Commons, is a part of the English Government; and though he professes himself an enemy to war, he abuses the French Constitution, which seeks to explode it. He holds up the English Government as a model, in all its parts, to France; but he should first know the remarks which the French make upon it. They contend in favor of their own, that the portion of liberty enjoyed in England is just enough to enslave a country more productively than by despotism, and that as the real object of all despotism is revenue, a government so formed obtains more than it could do either by direct despotism, or in a full state of freedom, and is, therefore on the ground of interest, opposed to both. They account also for the readiness which always appears in such governments for engaging in wars by remarking on the different

motives which produced them. In despotic governments wars are the effect of pride; but in those governments in which they become the means of taxation, they acquire thereby a more permanent promptitude.

The French Constitution, therefore, to provide against both these evils, has taken away the power of declaring war from kings and ministers, and placed the right where the expence must fall.

When the question of the right of war and peace was agitating in the National Assembly, the people of England appeared to be much interested in the event, and highly to applaud the decision. As a principle it applies as much to one country as another. William the Conqueror, *as a conqueror*, held this power of war and peace in himself, and his descendants have ever since claimed it under him as a right.

Although Mr. Burke has asserted the right of the Parliament at the Revolution to bind and controul the nation and posterity for *ever*, he denies at the same time that the Parliament or the nation had any right to alter what he calls the succession of the crown in anything but in part, or by a sort of modification. By his taking this ground he throws the case back to the *Norman Conquest*, and by thus running a line of succession springing from William the Conqueror to the present day, he makes it necessary to enquire who and what William the Conqueror was, and where he came from, and into the origin, history and nature of what are called prerogatives. Everything must have had a beginning, and the fog of time and antiquity should be penetrated to discover it. Let, then, Mr. Burke bring forward his William of Normandy, for it is to this origin that his argument goes. It also unfortunately happens, in running this line of succession, that another line parallel thereto presents itself, which is that if the succession runs in the line of the conquest, the nation runs in the line of being conquered, and it ought to rescue itself from this reproach.

But it will perhaps be said that tho' the power of declaring war descends in the heritage of the conquest, it is held in check by the right of Parliament to withhold the supplies.

It will always happen when a thing is originally wrong that amendments do not make it right, and it oftens happens that they do as much mischief one way as good the other, and such is the case here, for if the one rashly declares war as a matter of right, and the other peremptorily withholds the supplies as a matter of right, the remedy becomes as bad, or worse, than the disease. The one forces the nation to a combat, and the other ties its hands; but the more probable issue is that the contest will end in a collusion between the parties, and be made a screen to both.

On this question of war, three things are to be considered. First, the right of declaring it: secondly, the expense of supporting it: thirdly, the mode of conducting it after it is declared. The French constitution places the *right* where the *expense* must fall, and this union can only be in the nation. The mode of conducting it after it is declared, it consigns to the executive department. Were this the case in all countries, we should hear but little more of wars.

Before I proceed to consider other parts of the French Constitution, and by way of relieving the fatigue of argument, I will introduce an anecdote which I had from Dr. Franklin.

While the Doctor resided in France as Minister from America, during the war, he had numerous proposals made to him by projectors of every country and of every kind, who wished to go to the land that floweth with milk and honey, America; and among the rest, there was one who offered himself to be king. He introduced his proposal to the Doctor by letter, which is now in the hands of M. Beaumarchais, of Paris—stating, first, that as the Americans had dismissed or sent away * their King, that they would want another. Secondly, that himself was a Norman. Thirdly, that he was of a more ancient family than the Dukes of Normandy, and of a more honorable descent, his line having never been bastardised. Fourthly, that there was already a precedent in England of kings coming out of

* The word he used was renvoyé, dismissed or sent away.—*Author.*

Normandy, and on these grounds he rested his offer, *enjoining* that the Doctor would forward it to America. But as the Doctor neither did this, nor yet sent him an answer, the projector wrote a second letter, in which he did not, it is true, threaten to go over and conquer America, but only with great dignity proposed that if his offer was not accepted, an acknowledgment of about £30,000 might be made to him for his generosity! Now, as all arguments respecting succession must necessarily connect that succession with some beginning, Mr. Burke's arguments on this subject go to show that there is no English origin of kings, and that they are descendants of the Norman line in right of the Conquest. It may, therefore, be of service to his doctrine to make this story known, and to inform him, that in case of that natural extinction to which all mortality is subject, Kings may again be had from Normandy, on more reasonable terms than William the Conqueror; and consequently, that the good people of England, at the revolution of 1688, *might have done much better*, had such a generous Norman as *this* known *their* wants, and they had known *his*. The chivalric character which Mr. Burke so much admires, is certainly much easier to make a bargain with than a *hard dealing Dutchman*. But to return to the matters of the constitution—

The French Constitution says, *There shall be no titles;* and, of consequence, all that class of equivocal generation which in some countries is called "*aristocracy*" and in others "*nobility*," is done away, and the *peer* is exalted into the MAN.

Titles are but nick-names, and every nickname is a title. The thing is perfectly harmless in itself, but it marks a sort of foppery in the human character, which degrades it. It reduces man into the diminutive of man in things which are great, and the counterfeit of women in things which are little. It talks about its fine *blue ribbon* like a girl, and shows its new *garter* like a child. A certain writer, of some antiquity, says: "When I was a child, I thought as a child; but when I became a man, I put away childish things."

It is, properly, from the elevated mind of France that the folly of titles has fallen. It has outgrown the baby clothes of *Count* and *Duke*, and breeched itself in manhood. France has not levelled, it has exalted. It has put down the dwarf, to set up the man. The punyism of a senseless word like *Duke*, *Count* or *Earl* has ceased to please. Even those who possessed them have disowned the gibberish, and as they outgrew the rickets, have despised the rattle. The genuine mind of man, thirsting for its native home, society, contemns the gewgaws that separate him from it. Titles are like circles drawn by the magician's wand, to contract the sphere of man's felicity. He lives immured within the Bastille of a word, and surveys at a distance the envied life of man.

Is it, then, any wonder that titles should fall in France? Is it not a greater wonder that they should be kept up anywhere? What are they? What is their worth, and "what is their amount?" When we think or speak of a *Judge* or a *General*, we associate with it the ideas of office and character; we think of gravity in one and bravery in the other; but when we use the word *merely as a title*, no ideas associate with it. Through all the vocabulary of Adam there is not such an animal as a Duke or a Count; neither can we connect any certain ideas with the words. Whether they mean strength or weakness, wisdom or folly, a child or a man, or the rider or the horse, is all equivocal. What respect then can be paid to that which describes nothing, and which means nothing? Imagination has given figure and character to centaurs, satyrs, and down to all the fairy tribe; but titles baffle even the powers of fancy, and are a chimerical nondescript.

But this is not all. If a whole country is disposed to hold them in contempt, all their value is gone, and none will own them. It is common opinion only that makes them anything, or nothing, or worse than nothing. There is no occasion to take titles away, for they take themselves away when society concurs to ridicule them. This species of imaginary consequence has visibly declined in every part of Europe, and it hastens to its exit as the world of reason continues to rise. There

was a time when the lowest class of what are called nobility was more thought of than the highest is now, and when a man in armour riding throughout Christendom in quest of adventures was more stared at than a modern Duke. The world has seen this folly fall, and it has fallen by being laughed at, and the farce of titles will follow its fate. The patriots of France have discovered in good time that rank and dignity in society must take a new ground. The old one has fallen through. It must now take the substantial ground of character, instead of the chimerical ground of titles; and they have brought their titles to the altar, and made of them a burnt-offering to Reason.

If no mischief had annexed itself to the folly of titles they would not have been worth a serious and formal destruction, such as the National Assembly have decreed them; and this makes it necessary to enquire farther into the nature and character of aristocracy.

That, then, which is called aristocracy in some countries and nobility in others arose out of the governments founded upon conquest. It was originally a military order for the purpose of supporting military government (for such were all governments founded in conquest); and to keep up a succession of this order for the purpose for which it was established, all the younger branches of those families were disinherited and the law of *primogenitureship* set up.

The nature and character of aristocracy shows itself to us in this law. It is the law against every other law of nature, and Nature herself calls for its destruction. Establish family justice, and aristocracy falls. By the aristocratical law of primogenitureship, in a family of six children five are exposed. Aristocracy has never more than one child. The rest are begotten to be devoured. They are thrown to the cannibal for prey, and the natural parent prepares the unnatural repast.

As everything which is out of nature in man affects, more or less, the interest of society, so does this. All the children which the aristocracy disowns (which are all except the eldest) are, in general, cast like orphans on a parish, to be

provided for by the public, but at a greater charge. Unnecessary offices and places in governments and courts are created at the expense of the public to maintain them.

With what kind of parental reflexions can the father or mother contemplate their younger offspring? By nature they are children, and by marriage they are heirs; but by aristocracy they are bastards and orphans. They are the flesh and blood of their parents in the one line, and nothing akin to them in the other. To restore, therefore, parents to their children, and children to their parents—relations to each other, and man to society—and to exterminate the monster aristocracy, root and branch—the French Constitution has destroyed the law of PRIMOGENITURESHIP. Here then lies the monster; and Mr. Burke, if he pleases, may write its epitaph.

Hitherto we have considered aristocracy chiefly in one point of view. We have now to consider it in another. But whether we view it before or behind, or sideways, or any way else, domestically or publicly, it is still a monster.

In France aristocracy had one feature less in its countenance than what it has in some other countries. It did not compose a body of hereditary legislators. It was not "*a corporation of aristocracy*," for such I have heard M. de la Fayette describe an English House of Peers. Let us then examine the grounds upon which the French Constitution has resolved against having such a House in France.

Because, in the first place, as is already mentioned, aristocracy is kept up by family tyranny and injustice.

Secondly. Because there is an unnatural unfitness in an aristocracy to be legislators for a nation. Their ideas of *distributive justice* are corrupted at the very source. They begin life by trampling on all their younger brothers and sisters, and relations of every kind, and are taught and educated so to do. With what ideas of justice or honor can that man enter a house of legislation, who absorbs in his own person the inheritance of a whole family of children or doles out to them some pitiful portion with the insolence of a gift?

Thirdly. Because the idea of hereditary legislators is as inconsistent as that of hereditary judges, or hereditary juries; and as absurd as an hereditary mathematician, or an hereditary wise man; and as ridiculous as an hereditary poet laureate.

Fourthly. Because a body of men, holding themselves accountable to nobody, ought not to be trusted by anybody.

Fifthly. Because it is continuing the uncivilised principle of governments founded in conquest, and the base idea of man having property in man, and governing him by personal right.

Sixthly. Because aristocracy has a tendency to deteriorate the human species. By the universal economy of nature it is known, and by the instance of the Jews it is proved, that the human species has a tendency to degenerate, in any small number of persons, when separated from the general stock of society, and inter-marrying constantly with each other. It defeats even its pretended end, and becomes in time the opposite of what is noble in man. Mr. Burke talks of nobility; let him show what it is. The greatest characters the world have known have arisen on the democratic floor. Aristocracy has not been able to keep a proportionate pace with democracy. The artificial NOBLE shrinks into a dwarf before the NOBLE of Nature; and in the few instances of those (for there are some in all countries) in whom nature, as by a miracle, has survived in aristocracy, THOSE MEN DESPISE IT.—But it is time to proceed to a new subject.

The French constitution has reformed the condition of the clergy. It has raised the income of the lower and middle classes, and taken from the higher. None are now less than twelve hundred livres, (fifty pounds sterling) nor any higher than two or three thousand pounds. What will Mr. Burke place against this? Hear what he says.

He says: "That the people of England can see without pain or grudging, an archbishop precede a duke; they can see a Bishop of Durham, or a Bishop of Winchester in possession of £ 10,000 a-year; and cannot see why it is in worse hands than estates to a like amount, in the hands of this

earl or that squire." And Mr. Burke offers this as an example to France.

As to the first part, whether the archbishop precedes the duke, or the duke the bishop, it is, I believe, to the people in general, somewhat like *Sternhold* and *Hopkins*, or *Hopkins* and *Sternhold;* you may put which you please first; and as I confess that I do not understand the merits of this case, I will not contest it with Mr. Burke.

But with respect to the latter, I have something to say. Mr. Burke has not put the case right. The comparison is out of order, by being put between the bishop and the earl or the squire. It ought to be put between the bishop and the curate, and then it will stand thus:— "The people of England can see without pain or grudging, a Bishop of Durham, or a Bishop of Winchester, in possession of ten thousand pounds a-year, and a curate on thirty or forty pounds a-year, or less." No, sir, they certainly do not see those things without great pain or grudging. It is a case that applies itself to every man's sense of justice, and is one among many that calls aloud for a constitution.

In France the cry of "*the church! the church!*" was repeated as often as in Mr. Burke's book, and as loudly as when the Dissenters' Bill was before the English Parliament; but the generality of the French clergy were not to be deceived by this cry any longer. They knew that whatever the pretence might be, it was they who were one of the principal objects of it. It was the cry of the high beneficed clergy, to prevent any regulation of income taking place between those of ten thousand pounds a-year and the parish priest. They therefore joined their case to those of every other oppressed class of men, and by this union obtained redress.

The French Constitution has abolished tythes, that source of perpetual discontent between the tythe-holder and the parishioner. When land is held on tythe, it is in the condition of an estate held between two parties; the one receiving one-tenth, and the other nine-tenths of the produce: and consequently, on principles of equity, if the estate can be improved, and made to produce by that improvement double

or treble what it did before, or in any other ratio, the expense of such improvement ought to be borne in like proportion between the parties who are to share the produce. But this is not the case in tythes: the farmer bears the whole expense, and the tythe-holder takes a tenth of the improvement, in addition to the original tenth, and by this means gets the value of two-tenths instead of one. This is another case that calls for a constitution.

The French Constitution hath abolished or renounced *Toleration* and *Intolerance* also, and hath established UNIVERSAL RIGHT OF CONSCIENCE.

Toleration is not the *opposite* of Intolerance, but is the *counterfeit* of it. Both are despotisms. The one assumes to itself the right of withholding Liberty of Conscience, and the other of granting it. The one is the Pope armed with fire and faggot, and the other is the Pope selling or granting indulgences. The former is church and state, and the latter is church and traffic.

But Toleration may be viewed in a much stronger light. Man worships not himself, but his Maker; and the liberty of conscience which he claims is not for the service of himself, but of his God. In this case, therefore, we must necessarily have the associated idea of two things; the *mortal* who renders the worship, and the IMMORTAL BEING who is worshipped. Toleration, therefore, places itself, not between man and man, nor between church and church, nor between one denomination of religion and another, but between God and man; between the being who worships, and the BEING who is worshipped; and by the same act of assumed authority which it tolerates man to pay his worship, it presumptuously and blasphemously sets itself up to tolerate the Almighty to receive it.

Were a bill brought into any Parliament, entitled, "An Act to tolerate or grant liberty to the Almighty to receive the worship of a Jew or a Turk," or "to prohibit the Almighty from receiving it," all men would startle and call it blasphemy. There would be an uproar. The presumption of toleration in religious matters would then present itself

unmasked ; but the presumption is not the less because the name of " Man " only appears to those laws, for the associated idea of the *worshipper* and the *worshipped* cannot be separated. Who then art thou, vain dust and ashes! by whatever name thou art called, whether a King, a Bishop, a Church, or a State, a Parliament, or anything else, that obtrudest thine insignificance between the soul of man and its Maker? Mind thine own concerns. If he believes not as thou believest, it is a proof that thou believest not as he believes, and there is no earthly power can determine between you.

With respect to what are called denominations of religion, if every one is left to judge of its own religion, there is no such thing as a religion that is wrong ; but if they are to judge of each other's religion, there is no such thing as a religion that is right ; and therefore all the world is right, or all the world is wrong. But with respect to religion itself, without regard to names, and as directing itself from the universal family of mankind to the Divine object of all adoration, *it is man bringing to his Maker the fruits of his heart ;* and though those fruits may differ from each other like the fruits of the earth, the grateful tribute of every one is accepted.

A Bishop of Durham, or a Bishop of Winchester, or the archbishop who heads the dukes, will not refuse a tythe-sheaf of wheat because it is not a cock of hay, nor a cock of hay because it is not a sheaf of wheat ; nor a pig, because it is neither one nor the other ; but these same persons, under the figure of an established church, will not permit their Maker to receive the varied tythes of man's devotion.

One of the continual choruses of Mr. Burke's book is " Church and State." He does not mean some one particular church, or some one particular state, but any church and state ; and he uses the term as a general figure to hold forth the political doctrine of always uniting the church with the state in every country, and he censures the National Assembly for not having done this in France. Let us bestow a few thoughts on this subject.

All religions are in their nature kind and benign, and united with principles of morality. They could not have made proselytes at first by professing anything that was vicious, cruel, persecuting, or immoral. Like everything else, they had their beginning; and they proceeded by persuasion, exhortation, and example. How then is it that they lose their native mildness, and become morose and intolerant?

It proceeds from the connection which Mr. Burke recommends. By engendering the church with the state, a sort of mule-animal, capable only of destroying, and not of breeding up, is produced, called *the Church established by Law.* It is a stranger, even from its birth, to any parent mother, on whom it is begotten, and whom in time it kicks out and destroys.

The inquisition in Spain does not proceed from the religion originally professed, but from this mule-animal, engendered between the church and the state. The burnings in Smithfield proceeded from the same heterogeneous production; and it was the regeneration of this strange animal in England afterwards, that renewed rancour and irreligion among the inhabitants, and that drove the people called Quakers and Dissenters to America. Persecution is not an original feature in *any* religion; but it is alway the strongly-marked feature of all law-religions, or religions established by law. Take away the law-establishment, and every religion re-assumes its original benignity. In America, a catholic priest is a good citizen, a good character, and a good neighbour; an episcopalian minister is of the same description: and this proceeds independently of the men, from there being no law-establishment in America.[1]

If also we view this matter in a temporal sense, we shall see the ill-effects it has had on the prosperity of nations. The union of church and state has impoverished Spain. The revoking the edict of Nantes drove the silk manufac-

[1] But on his return to America, after writing the "Age of Reason," Paine learned by sad experience that the disestablishment of a church does not imply the disestablishment of Dogmas or of Intolerance.—*Editor.*

ture from that country into England; and church and state are now driving the cotton manufacture from England to America and France. Let then Mr. Burke continue to preach his antipolitical doctrine of Church and State. It will do some good. The National Assembly will not follow his advice, but will benefit by his folly. It was by observing the ill effects of it in England, that America has been warned against it; and it is by experiencing them in France, that the National Assembly have abolished it, and, like America, have established UNIVERSAL RIGHT OF CONSCIENCE, AND UNIVERSAL RIGHT OF CITIZENSHIP.*

I will here cease the comparison with respect to the prin-

* When in any country we see extraordinary circumstances taking place, they naturally lead any man who has a talent for observation and investigation, to enquire into the causes. The manufacturers of Manchester, Birmingham, and Sheffield, are the principal manufacturers in England. From whence did this arise? A little observation will explain the case. The principal, and the generality of the inhabitants of those places, are not of what is called in England, *the church established by law*: and they, or their fathers, (for it is within but a few years) withdrew from the persecution of the chartered towns, where test-laws more particularly operate, and established a sort of asylum for themselves in those places. It was the only asylum that then offered, for the rest of Europe was worse.—But the case is now changing. France and America bid all comers welcome, and initiate them into all the rights of citizenship. Policy and interest, therefore, will, but perhaps too late, dictate in England, what reason and justice could not. Those manufacturers are withdrawing, and arising in other places. There is now erecting in Passey, three miles from Paris, a large cotton manufactory, and several are already erected in America. Soon after the rejecting the Bill for repealing the test-law, one of the richest manufacturers in England said in my hearing, "England, Sir, is not a country for a dissenter to live in,—we must go to France." These are truths, and it is doing justice to both parties to tell them. It is chiefly the dissenters that have carried English manufactures to the height they are now at, and the same men have it in their power to carry them away; and though those manufactures would afterwards continue in those places, the foreign market will be lost. There frequently appear in the London Gazette, extracts from certain acts to prevent machines and persons, as far as they can extend to persons, from going out of the country. It appears from these that the ill effects of the test-laws and church-establishment begin to be much suspected; but the remedy of force can never supply the remedy of reason. In the progress of less than a century, all the unrepresented part of England, of all denominations, which is at least an hundred times the most numerous, may begin to feel the necessity of a constitution, and then all those matters will come regularly before them.—*Author.*

ciples of the French constitution, and conclude this part of the subject with a few observations on the organization of the formal parts of the French and English governments.

The executive power in each country is in the hands of a person stiled the King; but the French constitution distinguishes between the King and the Sovereign: It considers the station of King as official, and places Sovereignty in the nation.

The representatives of the nation, who compose the National Assembly, and who are the legislative power, originate in and from the people by election, as an inherent right in the people.—In England it is otherwise; and this arises from the original establishment of what is called its monarchy; for, as by the conquest all the rights of the people or the nation were absorbed into the hands of the Conqueror, and who added the title of King to that of Conqueror, those same matters which in France are now held as rights in the people, or in the nation, are held in England as grants from what is called the crown. The Parliament in England, in both its branches, was erected by patents from the descendants of the conqueror. The House of Commons did not originate as a matter of right in the people to delegate or elect, but as a grant or boon.

By the French Constitution the nation is always named before the king. The third article of the declaration of rights says: "The nation is essentially the source (or fountain) of all sovereignty." Mr. Burke argues that in England a king is the fountain—that he is the fountain of all honor. But as this idea is evidently descended from the conquest I shall make no other remark upon it, than that it is the nature of conquest to turn everything upside down; and as Mr. Burke will not be refused the privilege of speaking twice, and as there are but two parts in the figure, the *fountain* and the *spout*, he will be right the second time.

The French Constitution puts the legislative before the executive, the law before the king; *la loi, le roi.* This also is in the natural order of things, because laws must have existence before they can have execution.

A king in France does not, in addressing himself to the National Assembly, say, "My Assembly," similar to the phrase used in England of *my* "Parliament"; neither can he use it consistently with the constitution, nor could it be admitted. There may be propriety in the use of it in England, because as is before mentioned, both Houses of Parliament originated from what is called the crown by patent or boon—and not from the inherent rights of the people, as the National Assembly does in France, and whose name designates its origin.

The President of the National Assembly does not ask the King *to grant to the Assembly liberty of speech*, as is the case with the English House of Commons. The constitutional dignity of the National Assembly cannot debase itself. Speech is, in the first place, one of the natural rights of man always retained; and with respect to the National Assembly the use of it is their *duty*, and the nation is their *authority*. They were elected by the greatest body of men exercising the right of election the European world ever saw. They sprung not from the filth of rotten boroughs, nor are they the vassal representatives of aristocratical ones. Feeling the proper dignity of their character they support it. Their Parliamentary language, whether for or against a question, is free, bold and manly, and extends to all the parts and circumstances of the case. If any matter or subject respecting the executive department or the person who presides in it (the king) comes before them it is debated on with the spirit of men, and in the language of gentlemen; and their answer or their address is returned in the same style. They stand not aloof with the gaping vacuity of vulgar ignorance, nor bend with the cringe of sycophantic insignificance. The graceful pride of truth knows no extremes, and preserves, in every latitude of life, the right-angled character of man.

Let us now look to the other side of the question. In the addresses of the English Parliaments to their kings we see neither the intrepid spirit of the old Parliaments of France, nor the serene dignity of the present National Assembly; neither do we see in them anything of the stile of

English manners, which border somewhat on bluntness. Since then they are neither of foreign extraction, nor naturally of English production, their origin must be sought for elsewhere, and that origin is the Norman Conquest. They are evidently of the vassalage class of manners, and emphatically mark the prostrate distance that exists in no other condition of men than between the conqueror and the conquered. That this vassalage idea and stile of speaking was not got rid of even at the Revolution of 1688, is evident from the declaration of Parliament to William and Mary in these words: "We do most humbly and faithfully *submit* ourselves, our heirs and posterities, for ever." Submission is wholly a vassalage term, repugnant to the dignity of freedom, and an echo of the language used at the Conquest.

As the estimation of all things is by comparison, the Revolution of 1688, however from circumstances it may have been exalted beyond its value, will find its level. It is already on the wane, eclipsed by the enlarging orb of reason, and the luminous revolutions of America and France. In less than another century it will go, as well as Mr. Burke's labors, "to the family vault of all the Capulets." Mankind will then scarcely believe that a country calling itself free would send to Holland for a man, and clothe him with power on purpose to put themselves in fear of him, and give him almost a million sterling a year for leave to *submit* themselves and their posterity, like bondmen and bondwomen, for ever.

But there is a truth that ought to be made known; I have had the opportunity of seeing it; which is, *that notwithstanding appearances, there is not any description of men that despise monarchy so much as courtiers.* But they well know, that if it were seen by others, as it is seen by them, the juggle could not be kept up; they are in the condition of men who get their living by a show, and to whom the folly of that show is so familiar that they ridicule it; but were the audience to be made as wise in this respect as themselves, there would be an end to the show and the profits with it. The difference between a republican and a courtier with

respect to monarchy, is that the one opposes monarchy, believing it to be something; and the other laughs at it, knowing it to be nothing.

As I used sometimes to correspond with Mr. Burke believing him then to be a man of sounder principles than his book shows him to be, I wrote to him last winter from Paris, and gave him an account how prosperously matters were going on. Among other subjects in that letter, I referred to the happy situation the National Assembly were placed in; that they had taken ground on which their moral duty and their political interest were united. They have not to hold out a language which they do not themselves believe, for the fraudulent purpose of making others believe it. Their station requires no artifice to support it, and can only be maintained by enlightening mankind. It is not their interest to cherish ignorance, but to dispel it. They are not in the case of a ministerial or an opposition party in England, who, though they are opposed, are still united to keep up the common mystery. The National Assembly must throw open a magazine of light. It must show man the proper character of man; and the nearer it can bring him to that standard, the stronger the National Assembly becomes.

In contemplating the French Constitution, we see in it a rational order of things. The principles harmonise with the forms, and both with their origin. It may perhaps be said as an excuse for bad forms, that they are nothing more than forms; but this is a mistake. Forms grow out of principles, and operate to continue the principles they grow from. It is impossible to practise a bad form on anything but a bad principle. It cannot be ingrafted on a good one; and wherever the forms in any government are bad, it is a certain indication that the principles are bad also.

I will here finally close this subject. I began it by remarking that Mr. Burke had *voluntarily* declined going into a comparison of the English and French Constitutions. He apologises (in page 241) for not doing it, by saying that he had not time. Mr. Burke's book was upwards of eight

months in hand, and is extended to a volume of three hundred and sixty-six pages. As his omission does injury to his cause, his apology makes it worse; and men on the English side of the water will begin to consider, whether there is not some radical defect in what is called the English constitution, that made it necessary for Mr. Burke to suppress the comparison, to avoid bringing it into view.

As Mr. Burke has not written on constitutions so neither has he written on the French Revolution. He gives no account of its commencement or its progress. He only expresses his wonder. "It looks," says he, "to me, as if I were in a great crisis, not of the affairs of France alone, but of all Europe, perhaps of more than Europe. All circumstances taken together, the French Revolution is the most astonishing that has hitherto happened in the world."

As wise men are astonished at foolish things, and other people at wise ones, I know not on which ground to account for Mr. Burke's astonishment; but certain it is, that he does not understand the French Revolution. It has apparently burst forth like a creation from a chaos, but it is no more than the consequence of a mental revolution priorily existing in France. The mind of the nation had changed beforehand, and the new order of things has naturally followed the new order of thoughts. I will here, as concisely as I can, trace out the growth of the French Revolution, and mark the circumstances that have contributed to produce it.

The despotism of Louis XIV., united with the gaiety of his Court, and the gaudy ostentation of his character, had so humbled, and at the same time so fascinated the mind of France, that the people appeared to have lost all sense of their own dignity, in contemplating that of their Grand Monarch; and the whole reign of Louis XV., remarkable only for weakness and effeminacy, made no other alteration than that of spreading a sort of lethargy over the nation, from which it shewed no disposition to rise.

The only signs which appeared of the spirit of Liberty during those periods, are to be found in the writings of the French philosophers. Montesquieu, President of the Parlia-

ment of Bordeaux, went as far as a writer under a despotic government could well proceed; and being obliged to divide himself between principle and prudence, his mind often appears under a veil, and we ought to give him credit for more than he has expressed.

Voltaire, who was both the flatterer and the satirist of despotism, took another line. His forte lay in exposing and ridiculing the superstitions which priest-craft, united with state-craft, had interwoven with governments. It was not from the purity of his principles, or his love of mankind (for satire and philanthropy are not naturally concordant), but from his strong capacity of seeing folly in its true shape, and his irresistible propensity to expose it, that he made those attacks. They were, however, as formidable as if the motive had been virtuous; and he merits the thanks rather than the esteem of mankind.

On the contrary, we find in the writings of Rousseau, and the Abbé Raynal, a loveliness of sentiment in favor of liberty, that excites respect, and elevates the human faculties; but having raised this animation, they do not direct its operation, and leave the mind in love with an object, without describing the means of possessing it.

The writings of Quesnay, Turgot, and the friends of those authors, are of the serious kind; but they labored under the same disadvantage with Montesquieu; their writings abound with moral maxims of government, but are rather directed to œconomise and reform the administration of the government, than the government itself.

But all those writings and many others had their weight; and by the different manner in which they treated the subject of government, Montesquieu by his judgment and knowledge of laws, Voltaire by his wit, Rousseau and Raynal by their animation, and Quesnay and Turgot by their moral maxims and systems of œconomy, readers of every class met with something to their taste, and a spirit of political inquiry began to diffuse itself through the nation at the time the dispute between England and the then colonies of America broke out.

In the war which France afterwards engaged in, it is very well known that the nation appeared to be before-hand with the French ministry. Each of them had its view; but those views were directed to different objects; the one sought liberty, and the other retaliation on England. The French officers and soldiers who after this went to America, were eventually placed in the school of Freedom, and learned the practice as well as the principles of it by heart.

As it was impossible to separate the military events which took place in America from the principles of the American Revolution, the publication of those events in France necessarily connected themselves with the principles which produced them. Many of the facts were in themselves principles; such as the declaration of American Independence, and the treaty of alliance between France and America, which recognised the natural rights of man, and justified resistance to oppression.

The then Minister of France, Count Vergennes, was not the friend of America; and it is both justice and gratitude to say, that it was the Queen of France who gave the cause of America a fashion at the French Court. Count Vergennes was the personal and social friend of Dr. Franklin; and the Doctor had obtained, by his sensible gracefulness, a sort of influence over him; but with respect to principles Count Vergennes was a despot.

The situation of Dr. Franklin, as Minister from America to France, should be taken into the chain of circumstances. The diplomatic character is of itself the narrowest sphere of society that man can act in. It forbids intercourse by the reciprocity of suspicion; and a diplomatic is a sort of unconnected atom, continually repelling and repelled. But this was not the case with Dr. Franklin. He was not the diplomatic of a Court, but of MAN. His character as a philosopher had been long established, and his circle of society in France was universal.

Count Vergennes resisted for a considerable time the publication in France of American constitutions, translated into the French language: but even in this he was obliged

to give way to public opinion, and a sort of propriety in admitting to appear what he had undertaken to defend. The American constitutions were to liberty what a grammar is to language: they define its parts of speech, and practically construct them into syntax.

The peculiar situation of the then Marquis de la Fayette is another link in the great chain. He served in America as an American officer under a commission of Congress, and by the universality of his acquaintance was in close friendship with the civil government of America, as well as with the military line. He spoke the language of the country, entered into the discussions on the principles of government, and was always a welcome friend at any election.

When the war closed, a vast reinforcement to the cause of Liberty spread itself over France, by the return of the French officers and soldiers. A knowledge of the practice was then joined to the theory; and all that was wanting to give it real existence was opportunity. Man cannot, properly speaking, make circumstances for his purpose, but he always has it in his power to improve them when they occur, and this was the case in France.

M. Neckar was displaced in May, 1781; and by the ill-management of the finances afterwards, and particularly during the extravagant administration of M. Calonne, the revenue of France, which was nearly twenty-four millions sterling per year, was become unequal to the expenditure, not because the revenue had decreased, but because the expenses had increased; and this was a circumstance which the nation laid hold of to bring forward a Revolution. The English Minister, Mr. Pitt, has frequently alluded to the state of the French finances in his budgets, without understanding the subject. Had the French Parliaments been as ready to register edicts for new taxes as an English Parliament is to grant them, there had been no derangement in the finances, nor yet any Revolution; but this will better explain itself as I proceed.

It will be necessary here to show how taxes were formerly raised in France. The King, or rather the Court or Ministry

acting under the use of that name, framed the edicts for taxes at their own discretion, and sent them to the Parliaments to be registered; for until they were registered by the Parliaments they were not operative. Disputes had long existed between the Court and the Parliaments with respect to the extent of the Parliament's authority on this head. The Court insisted that the authority of Parliaments went no farther than to remonstrate or show reasons against the tax, reserving to itself the right of determining whether the reasons were well or ill-founded; and in consequence thereof, either to withdraw the edict as a matter of choice, or to *order* it to be enregistered as a matter of authority. The Parliaments on their part insisted that they had not only a right to remonstrate, but to reject; and on this ground they were always supported by the nation.

But to return to the order of my narrative. M. Calonne wanted money: and as he knew the sturdy disposition of the Parliaments with respect to new taxes, he ingeniously sought either to approach them by a more gentle means than that of direct authority, or to get over their heads by a manœuvre; and for this purpose he revived the project of assembling a body of men from the several provinces, under the style of an "Assembly of the Notables," or men of note, who met in 1787, and who were either to recommend taxes to the Parliaments, or to act as a Parliament themselves. An Assembly under this name had been called in 1617.

As we are to view this as the first practical step towards the Revolution, it will be proper to enter into some particulars respecting it. The Assembly of the Notables has in some places been mistaken for the States-General, but was wholly a different body, the States-General being always by election. The persons who composed the Assembly of the Notables were all nominated by the king, and consisted of one hundred and forty members. But as M. Calonne could not depend upon a majority of this Assembly in his favor, he very ingeniously arranged them in such a manner as to make forty-four a majority of one hundred and forty; to effect this he disposed of them into seven separate com-

mittees, of twenty members each. Every general question was to be decided, not by a majority of persons, but by a majority of committees; and as eleven votes would make a majority in a committee, and four committees a majority of seven, M. Calonne had good reason to conclude that as forty-four would determine any general question he could not be outvoted. But all his plans deceived him, and in the event became his overthrow.

The then Marquis de la Fayette was placed in the second committee, of which the Count D'Artois was president, and as money matters were the object, it naturally brought into view every circumstance connected with it. M. de la Fayette made a verbal charge against Calonne for selling crown lands to the amount of two millions of livres, in a manner that appeared to be unknown to the king. The Count D'Artois (as if to intimidate, for the Bastille was then in being) asked the Marquis if he would render the charge in writing? He replied that he would. The Count D'Artois did not demand it, but brought a message from the king to that purport. M. de la Fayette then delivered in his charge in writing, to be given to the king, undertaking to support it. No farther proceedings were had upon this affair, but M. Calonne was soon after dismissed by the king and set off to England.

As M. de la Fayette, from the experience of what he had seen in America, was better acquainted with the science of civil government than the generality of the members who composed the Assembly of the Notables could then be, the brunt of the business fell considerably to his share. The plan of those who had a constitution in view was to contend with the Court on the ground of taxes, and some of them openly professed their object. Disputes frequently arose between Count D'Artois and M. de la Fayette upon various subjects. With respect to the arrears already incurred the latter proposed to remedy them by accommodating the expenses to the revenue instead of the revenue to the expenses; and as objects of reform he proposed to abolish the Bastille and all the State prisons throughout the nation

(the keeping of which was attended with great expense), and to suppress *Lettres de Cachet;* but those matters were not then much attended to, and with respect to *Lettres de Cachet, a majority of the Nobles appeared to be in favour of them.*

On the subject of supplying the Treasury by new taxes the Assembly declined taking the matter on themselves, concurring in the opinion that they had not authority. In a debate on this subject M. de la Fayette said that raising money by taxes could only be done by a National Assembly, freely elected by the people, and acting as their representatives. Do you mean, said the Count D'Artois, the *States-General?* M. de la Fayette replied that he did. Will you, said the Count D'Artois, sign what you say to be given to the king? The other replied that he would not only do this but that he would go farther, and say that the effectual mode would be for the king to agree to the establishment of a constitution.

As one of the plans had thus failed, that of getting the Assembly to act as a Parliament, the other came into view, that of recommending. On this subject the Assembly agreed to recommend two new taxes to be enregistered by the Parliament: the one a stamp-tax and the other a territorial tax, or sort of land-tax. The two have been estimated at about five millions sterling per annum. We have now to turn our attention to the Parliaments, on whom the business was again devolving.

The Archbishop of Thoulouse (since Archbishop of Sens, and now a Cardinal), was appointed to the administration of the finances soon after the dismission of Calonne. He was also made Prime Minister, an office that did not always exist in France. When this office did not exist, the chief of each of the principal departments transacted business immediately with the King, but when a Prime Minister was appointed they did business only with him. The Archbishop arrived to more state-authority than any minister since the Duke de Choiseul, and the nation was strongly disposed in his favor; but by a line of conduct scarcely to be ac-

counted for he perverted every opportunity, turned out a despot, and sunk into disgrace, and a Cardinal.

The Assembly of the Notables having broken up, the minister sent the edicts for the two new taxes recommended by the Assembly to the Parliaments to be enregistered. They of course came first before the Parliament of Paris, who returned for answer: "that with such a revenue as the nation then supported the name of taxes ought not to be mentioned but for the purpose of reducing them"; and threw both the edicts out.*

On this refusal the Parliament was ordered to Versailles, where, in the usual form, the King held what under the old government was called a Bed of Justice; and the two edicts were enregistered in presence of the Parliament by an order of State, in the manner mentioned, p. 337. On this the Parliament immediately returned to Paris, renewed their session in form, and ordered the enregistering to be struck out, declaring that everything done at Versailles was illegal. All the members of the Parliament were then served with Lettres de Cachet, and exiled to Trois; but as they continued as inflexible in exile as before, and as vengeance did not supply the place of taxes, they were after a short time recalled to Paris.

The edicts were again tendered to them, and the Count D'Artois undertook to act as representative of the King. For this purpose he came from Versailles to Paris, in a train of procession; and the Parliament were assembled to receive him. But show and parade had lost their influence in France; and whatever ideas of importance he might set off with, he had to return with those of mortification and disappointment. On alighting from his carriage to ascend the steps of the Parliament House, the crowd (which was numerously collected) threw out trite expressions, saying: "This is Monsieur D'Artois, who wants more of our money to spend." The marked disapprobation which he saw im-

* When the English Minister, Mr. Pitt, mentions the French finances again in the English Parliament, it would be well that he noticed this as an example. —*Author.*

pressed him with apprehensions, and the word *Aux armes!* (*To arms!*) was given out by the officer of the guard who attended him. It was so loudly vociferated, that it echoed through the avenues of the house, and produced a temporary confusion. I was then standing in one of the apartments through which he had to pass, and could not avoid reflecting how wretched was the condition of a disrespected man.*

After this a new subject took place: In the various debates and contests which arose between the Court and the Parliaments on the subject of taxes, the Parliament of Paris at last declared that although it had been customary for Parliaments to enregister edicts for taxes as a matter of convenience, the right belonged only to the *States-General;* and that, therefore, the Parliament could no longer with propriety continue to debate on what it had not authority to act. The King after this came to Paris and held a meeting with the Parliament, in which he continued from ten in the morning till about six in the evening, and, in a manner that appeared to proceed from him as if unconsulted upon with the Cabinet or Ministry, gave his word to the Parliament that the States-General should be convened.

But after this another scene arose, on a ground different from all the former. The Minister and the Cabinet were averse to calling the States-General. They well knew that if the States-General were assembled, themselves must fall; and as the King had not mentioned *any time*, they hit on a project calculated to elude, without appearing to oppose.

For this purpose, the Court set about making a sort of constitution itself. It was principally the work of M. Lamoignon, the Keeper of the Seals, who afterwards shot himself. This new arrangement consisted in establishing a body under the name of a *Cour Plénière*, or Full Court, in which were invested all the powers that the Government might have occasion to make use of. The persons composing this Court were to be nominated by the King; the contended right of taxation was given up on the part of the

* See Note, page 356.

King, and a new criminal code of laws and law proceedings was substituted in the room of the former. The thing, in many points, contained better principles than those upon which the Government had hitherto been administered; but with respect to the *Cour Plénière*, it was no other than a medium through which despotism was to pass, without appearing to act directly from itself.

The Cabinet had high expectations from their new contrivance. The persons who were to compose the *Cour Plénière* were already nominated; and as it was necessary to carry a fair appearance, many of the best characters in the nation were appointed among the number. It was to commence on May 8, 1788; but an opposition arose to it on two grounds—the one as to principle, the other as to form.

On the ground of Principle it was contended that Government had not a right to alter itself, and that if the practice was once admitted it would grow into a principle and be made a precedent for any future alterations the Government might wish to establish: that the right of altering the Government was a national right, and not a right of Government. And on the ground of form it was contended that the *Cour Plénière* was nothing more than a larger Cabinet.

The then Duke de la Rochefoucault, Luxembourg, De Noailles, and many others, refused to accept the nomination, and strenuously opposed the whole plan. When the edict for establishing this new court was sent to the Parliaments to be enregistered and put into execution, they resisted also. The Parliament of Paris not only refused, but denied the authority; and the contest renewed itself between the Parliament and the Cabinet more strongly than ever. While the Parliament were sitting in debate on this subject, the Ministry ordered a regiment of soldiers to surround the House and form a blockade. The members sent out for beds and provisions, and lived as in a besieged citadel: and as this had no effect, the commanding officer was ordered to enter the Parliament House and seize them, which he did, and some of the principal members were shut

up in different prisons. About the same time a deputation of persons arrived from the province of Brittany to remonstrate against the establishment of the *Cour Plénière*, and those the archbishop sent to the Bastille. But the spirit of the nation was not to be overcome, and it was so fully sensible of the strong ground it had taken—that of withholding taxes—that it contented itself with keeping up a sort of quiet resistance, which effectually overthrew all the plans at that time formed against it. The project of the *Cour Plénière* was at last obliged to be given up, and the Prime Minister not long afterwards followed its fate, and M. Neckar was recalled into office.

The attempt to establish the *Cour Plénière* had an effect upon the nation which itself did not perceive. It was a sort of new form of government that insensibly served to put the old one out of sight and to unhinge it from the superstitious authority of antiquity. It was Government dethroning Government; and the old one, by attempting to make a new one, made a chasm.

The failure of this scheme renewed the subject of convening the States-General; and this gave rise to a new series of politics. There was no settled form for convening the States-General: all that it positively meant was a deputation from what was then called the Clergy, the Noblesse, and the Commons; but their numbers or their proportions had not been always the same. They had been convened only on extraordinary occasions, the last of which was in 1614; their numbers were then in equal proportions, and they voted by orders.

It could not well escape the sagacity of M. Neckar, that the mode of 1614 would answer neither the purpose of the then government nor of the nation. As matters were at that time circumstanced it would have been too contentious to agree upon anything. The debates would have been endless upon privileges and exemptions, in which neither the wants of the Government nor the wishes of the nation for a Constitution would have been attended to. But as he did not chuse to take the decision upon himself, he summoned again

the *Assembly of the Notables* and referred it to them. This body was in general interested in the decision, being chiefly of aristocracy and high-paid clergy, and they decided in favor of the mode of 1614. This decision was against the sense of the Nation, and also against the wishes of the Court; for the aristocracy opposed itself to both and contended for privileges independent of either. The subject was then taken up by the Parliament, who recommended that the number of the Commons should be equal to the other two: and they should all sit in one house and vote in one body. The number finally determined on was 1,200; 600 to be chosen by the Commons (and this was less than their proportion ought to have been when their worth and consequence is considered on a national scale), 300 by the Clergy, and 300 by the Aristocracy; but with respect to the mode of assembling themselves, whether together or apart, or the manner in which they should vote, those matters were referred.*

The election that followed, was not a contested election, but an animated one. The candidates were not men, but

* Mr. Burke, (and I must take the liberty of telling him that he is very unacquainted with French affairs,) speaking upon this subject, says, "The first thing that struck me in calling the States-General, was a great departure from the ancient course;"—and he soon after says, "From the moment I read the list, I saw distinctly, and very nearly as it has happened, all that was to follow."—Mr. Burke certainly did not see all that was to follow. I endeavored to impress him, as well before as after the States-General met, that there would be a *revolution*; but was not able to make him see it, neither would he believe it. How then he could distinctly see all the parts, when the whole was out of sight, is beyond my comprehension. And with respect to the "departure from the ancient course," besides the natural weakness of the remark, it shews that he is unacquainted with circumstances. The departure was necessary, from the experience had upon it, that the ancient course was a bad one. The States-General of 1614 were called at the commencement of the civil war in the minority of Louis XIII.; but by the class of arranging them by orders, they increased the confusion they were called to compose. The author of *L'Intrigue du Cabinet*, (Intrigue of the Cabinet,) who wrote before any revolution was thought of in France, speaking of the States-General of 1614, says, "They held the public in suspense five months; and by the questions agitated therein, and the heat with which they were put, it appears that the great (*les grands*) thought more to satisfy their *particular* passions, than to procure the goods of the nation; and the whole time passed away in altercations, ceremonies and parade." L'Intrigue du Cabinet, vol. i. p. 329.—*Author.*

principles. Societies were formed in Paris, and committees of correspondence and communication established throughout the nation, for the purpose of enlightening the people, and explaining to them the principles of civil government; and so orderly was the election conducted, that it did not give rise even to the rumor of tumult.

The States-General were to meet at Versailles in April 1789, but did not assemble till May. They situated themselves in three separate chambers, or rather the Clergy and Aristocracy withdrew each into a separate chamber. The majority of the Aristocracy claimed what they called the privilege of voting as a separate body, and of giving their consent or their negative in that manner; and many of the bishops and the high-beneficed clergy claimed the same privilege on the part of their Order.

The *Tiers Etat* (as they were then called) disowned any knowledge of artificial orders and artificial privileges; and they were not only resolute on this point, but somewhat disdainful. They began to consider the Aristocracy as a kind of fungus growing out of the corruption of society, that could not be admitted even as a branch of it; and from the disposition the Aristocracy has shown by upholding Lettres de Cachet, and in sundry other instances, it was manifest that no constitution could be formed by admitting men in any other character than as National Men.

After various altercations on this head, the Tiers Etat or Commons (as they were then called) declared themselves (on a motion made for that purpose by the Abbé Sieyes) "THE REPRESENTATIVE OF THE NATION; *and that the two Orders could be considered but as deputies of corporations, and could only have a deliberate voice when they assembled in a national character with the national representatives.*" *This* proceeding extinguished the style of *Etats Généraux*, or States-General, and erected it into the style it now bears, that of L'Assemblée Nationale, or National Assembly.

This motion was not made in a precipitate manner. It was the result of cool deliberation, and concerned between the national representatives and the patriotic members of

the two chambers, who saw into the folly, mischief, and injustice of artificial privileged distinctions. It was become evident, that no constitution, worthy of being called by that name, could be established on anything less than a national ground. The Aristocracy had hitherto opposed the despotism of the Court, and affected the language of patriotism; but it opposed it as its rival (as the English Barons opposed King John), and it now opposed the nation from the same motives.

On carrying this motion, the national representatives, as had been concerted, sent an invitation to the two chambers, to unite with them in a national character, and proceed to business. A majority of the clergy, chiefly of the parish priests, withdrew from the clerical chamber, and joined the nation; and forty-five from the other chamber joined in like manner. There is a sort of secret history belonging to this last circumstance, which is necessary to its explanation; it was not judged prudent that all the patriotic members of the chamber styling itself the Nobles, should quit it at once; and in consequence of this arrangement, they drew off by degrees, always leaving some, as well to reason the case, as to watch the suspected. In a little time the numbers increased from forty-five to eighty, and soon after to a greater number; which, with the majority of the clergy, and the whole of the national representatives, put the malcontents in a very diminutive condition.

The King, who, very different from the general class called by that name, is a man of a good heart, shewed himself disposed to recommend a union of the three chambers, on the ground the National Assembly had taken; but the malcontents exerted themselves to prevent it, and began now to have another project in view. Their numbers consisted of a majority of the aristocratical chamber, and the minority of the clerical chamber, chiefly of bishops and high-beneficed clergy; and these men were determined to put everything to issue, as well by strength as by stratagem. They had no objection to a constitution; but it must be such a one as themselves should dictate, and suited to their own views

and particular situations. On the other hand, the Nation disowned knowing anything of them but as citizens, and was determined to shut out all such up-start pretensions. The more aristocracy appeared, the more it was despised; there was a visible imbecility and want of intellects in the majority, a sort of *je ne sais quoi*, that while it affected to be more than citizen, was less than man. It lost ground from contempt more than from hatred; and was rather jeered at as an ass, than dreaded as a lion. This is the general character of aristocracy, or what are called Nobles or Nobility, or rather No-ability, in all countries.

The plan of the mal-contents consisted now of two things; either to deliberate and vote by chambers (or orders), more especially on all questions respecting a Constitution (by which the aristocratical chamber would have had a negative on any article of the Constitution); or, in case they could not accomplish this object, to overthrow the National Assembly entirely.

To effect one or other of these objects they began to cultivate a friendship with the despotism they had hitherto attempted to rival, and the Count D'Artois became their chief. The king (who has since declared himself deceived into their measures) held, according to the old form, a *Bed of Justice*, in which he accorded to the deliberation and vote *par tête* (by head) upon several subjects; but reserved the deliberation and vote upon all questions respecting a constitution to the three chambers separately. This declaration of the king was made against the advice of M. Neckar, who now began to perceive that he was growing out of fashion at Court, and that another minister was in contemplation.

As the form of sitting in separate chambers was yet apparently kept up, though essentially destroyed, the national representatives immediately after this declaration of the King resorted to their own chambers to consult on a protest against it; and the minority of the chamber (calling itself the Nobles), who had joined the national cause, retired to a private house to consult in like manner. The mal-contents had by this time concerted their measures with

the court, which the Count D'Artois undertook to conduct; and as they saw from the discontent which the declaration excited, and the opposition making against it, that they could not obtain a control over the intended constitution by a separate vote, they prepared themselves for their final object—that of conspiring against the National Assembly, and overthrowing it.

The next morning the door of the chamber of the National Assembly was shut against them, and guarded by troops; and the members were refused admittance. On this they withdrew to a tennis-ground in the neighborhood of Versailles, as the most convenient place they could find, and, after renewing their session, took an oath never to separate from each other, under any circumstance whatever, death excepted, until they had established a constitution. As the experiment of shutting up the house had no other effect than that of producing a closer connection in the members, it was opened again the next day, and the public business recommenced in the usual place.

We are now to have in view the forming of the new ministry, which was to accomplish the overthrow of the National Assembly. But as force would be necessary, orders were issued to assemble thirty thousand troops, the command of which was given to Broglio, one of the intended new ministry, who was recalled from the country for this purpose. But as some management was necessary to keep this plan concealed till the moment it should be ready for execution, it is to this policy that a declaration made by Count D'Artois must be attributed, and which is here proper to be introduced.

It could not but occur while the mal-contents continued to resort to their chambers separate from the National Assembly, more jealousy would be excited than if they were mixed with it, and that the plot might be suspected. But as they had taken their ground, and now wanted a pretence for quitting it, it was necessary that one should be devised. This was effectually accomplished by a declaration made by the Count D'Artois: "*That if they took not a part in the*

National Assembly, the life of the king would be endangered" : on which they quitted their chambers, and mixed with the Assembly, in one body.

At the time this declaration was made, it was generally treated as a piece of absurdity in Count D'Artois calculated merely to relieve the outstanding members of the two chambers from the diminutive situation they were put in; and if nothing more had followed, this conclusion would have been good. But as things best explain themselves by their events, this apparent union was only a cover to the machinations which were secretly going on; and the declaration accommodated itself to answer that purpose. In a little time the National Assembly found itself surrounded by troops, and thousands more were daily arriving. On this a very strong declaration was made by the National Assembly to the King, remonstrating on the impropriety of the measure, and demanding the reason. The King, who was not in the secret of this business, as himself afterwards declared, gave substantially for answer, that he had no other object in view than to preserve the public tranquility, which appeared to be much disturbed.

But in a few days from this time the plot unravelled itself. M. Neckar and the ministry were displaced, and a new one formed of the enemies of the Revolution; and Broglio, with between twenty-five and thirty thousand foreign troops, was arrived to support them. The mask was now thrown off, and matters were come to a crisis. The event was that in a space of three days the new ministry and their abettors found it prudent to fly the nation; the Bastille was taken, and Broglio and his foreign troops dispersed, as is already related in the former part of this work.

There are some curious circumstances in the history of this short-lived ministry, and this short-lived attempt at a counter-revolution. The Palace of Versailles, where the court was sitting, was not more than four hundred yards distant from the hall where the National Assembly was sitting. The two places were at this moment like the separate headquarters of two combatant armies; yet the Court was

as perfectly ignorant of the information which had arrived from Paris to the National Assembly, as if it had resided at an hundred miles distance. The then Marquis de la Fayette, who (as has been already mentioned) was chosen to preside in the National Assembly on this particular occasion, named by order of the Assembly three successive deputations to the king, on the day and up to the evening on which the Bastille was taken, to inform and confer with him on the state of affairs; but the ministry, who knew not so much as that it was attacked, precluded all communication, and were solacing themselves how dextrously they had succeeded; but in a few hours the accounts arrived so thick and fast that they had to start from their desks and run. Some set off in one disguise, and some in another, and none in their own character. Their anxiety now was to outride the news, lest they should be stopt, which, though it flew fast, flew not so fast as themselves.

It is worth remarking that the National Assembly neither pursued those fugitive conspirators, nor took any notice of them, nor sought to retaliate in any shape whatever. Occupied with establishing a constitution founded on the Rights of Man and the Authority of the People, the only authority on which Government has a right to exist in any country, the National Assembly felt none of those mean passions which mark the character of impertinent governments, founding themselves on their own authority, or on the absurdity of hereditary succession. It is the faculty of the human mind to become what it contemplates, and to act in unison with its object.

The conspiracy being thus dispersed, one of the first works of the National Assembly, instead of vindictive proclamations, as has been the case with other governments, was to publish a declaration of the Rights of Man, as the basis on which the new constitution was to be built, and which is here subjoined:

DECLARATION

OF THE

RIGHTS OF MAN AND OF CITIZENS,

BY THE NATIONAL ASSEMBLY OF FRANCE.

"THE Representatives of the people of FRANCE, formed into a NATIONAL ASSEMBLY, considering that ignorance, neglect, or contempt of human rights, are the sole causes of public misfortunes and corruptions of Government, have resolved to set forth in a solemn declaration, these natural, imprescriptible, and inalienable rights: that this declaration being constantly present to the minds of the members of the body social, they may be forever kept attentive to their rights and their duties; that the acts of the legislative and executive powers of Government, being capable of being every moment compared with the end of political institutions, may be more respected; and also, that the future claims of the citizens, being directed by simple and incontestible principles, may always tend to the maintenance of the Constitution, and the general happiness.

"For these reasons the NATIONAL ASSEMBLY doth recognise and declare, in the presence of the Supreme Being, and with the hope of his blessing and favor, the following *sacred* rights of men and of citizens:

"'*I. Men are born, and always continue, free and equal in respect of their rights. Civil distinctions, therefore, can be founded only on public utility.*

"'*II. The end of all political associations is the preservation of the natural and imprescriptible rights of man; and these rights are liberty, property, security, and resistance of oppression.*

"'*III. The nation is essentially the source of all sovereignty; nor can any* INDIVIDUAL, *or* ANY BODY OF MEN, *be entitled to any authority which is not expressly derived from it.*

"'IV. Political Liberty consists in the power of doing whatever does not injure another. The exercise of the

natural rights of every man, has no other limits than those which are necessary to secure to every *other* man the free exercise of the same rights; and these limits are determinable only by the law.

"'V. The law ought to prohibit only actions hurtful to society. What is not prohibited by the law should not be hindered; nor should anyone be compelled to that which the law does not require.

"'VI. The law is an expression of the will of the community. All citizens have a right to concur, either personally or by their representatives, in its formation. It should be the same to all, whether it protects or punishes; and all being equal in its sight, are equally eligible to all honors, places, and employments, according to their different abilities, without any other distinction than that created by their virtues and talents.

"'VII. No man should be accused, arrested, or held in confinement, except in cases determined by the law, and according to the forms which it has prescribed. All who promote, solicit, execute, or cause to be executed, arbitrary orders, ought to be punished, and every citizen called upon, or apprehended by virtue of the law, ought immediately to obey, and renders himself culpable by resistance.

"'VIII. The law ought to impose no other penalties but such as are absolutely and evidently necessary; and no one ought to be punished, but in virtue of a law promulgated before the offence, and legally applied.

"'IX. Every man being presumed innocent till he has been convicted, whenever his detention becomes indispensable, all rigor to him, more than is necessary to secure his person, ought to be provided against by the law.

"'X. No man ought to be molested on account of his opinions, not even on account of his *religious* opinions, provided his avowal of them does not disturb the public order established by the law.

"'XI. The unrestrained communication of thoughts and opinions being one of the most precious rights of man, every citizen may speak, write and publish freely, provided

he is responsible for the abuse of this liberty, in cases determined by the law.

"'XII. A public force being necessary to give security to the rights of men and of citizens, that force is instituted for the benefit of the community and not for the particular benefit of the persons to whom it is intrusted.

"'XIII. A common contribution being necessary for the support of the public force, and for defraying the other expenses of government, it ought to be divided equally among the members of the community, according to their abilities.

"'XIV. Every citizen has a right, either by himself or his representative, to a free voice in determining the necessity of public contributions, the appropriation of them, and their amount, mode of assessment, and duration.

"'XV. Every community has a right to demand of all its agents an account of their conduct.

"XVI. Every community in which a separation of powers and a security of rights is not provided for, wants a constitution.

"'XVII. The right to property being inviolable and sacred, no one ought to be deprived of it, except in cases of evident public necessity, legally ascertained, and on condition of a previous just indemnity.'"

OBSERVATIONS

ON THE

DECLARATION OF RIGHTS.

THE first three articles comprehend in general terms the whole of a Declaration of Rights, all the succeeding articles either originate from them or follow as elucidations. The 4th, 5th, and 6th define more particularly what is only generally expressed in the 1st, 2nd, and 3rd.

The 7th, 8th, 9th, 10th, and 11th articles are declaratory of *principles* upon which laws shall be constructed, conformable

to *rights* already declared. But it is questioned by some very good people in France, as well as in other countries, whether the 10th article sufficiently guarantees the right it is intended to accord with; besides which it takes off from the divine dignity of religion, and weakens its operative force upon the mind, to make it a subject of human laws. It then presents itself to man like light intercepted by a cloudy medium, in which the source of it is obscured from his sight, and he sees nothing to reverence in the dusky ray.*

The remaining articles, beginning with the twelfth, are substantially contained in the principles of the preceding articles; but in the particular situation in which France then was, having to undo what was wrong, as well as to set up what was right, it was proper to be more particular than what in another condition of things would be necessary.

While the Declaration of Rights was before the National Assembly some of its members remarked that if a declaration of rights were published it should be accompanied by a Declaration of Duties. The observation discovered a mind that reflected, and it only erred by not reflecting far

* There is a single idea, which, if it strikes rightly upon the mind, either in a legal or a religious sense, will prevent any man or any body of men, or any government, from going wrong on the subject of religion; which is, that before any human institutions of government were known in the world, there existed, if I may so express it, a compact between God and man, from the beginning of time: and that as the relation and condition which man in his *individual person* stands in towards his Maker cannot be changed by any human laws or human authority, that religious devotion, which is a part of this compact, cannot so much as be made a subject of human laws; and that all laws must conform themselves to this prior existing compact, and not assume to make the compact conform to the laws, which, besides being human, are subsequent thereto. The first act of man, when he looked around and saw himself a creature which he did not make, and a world furnished for his reception, must have been devotion; and devotion must ever continue sacred to every individual man, *as it appears right to him*; and governments do mischief by interfering.—*Author.*

Edmund Randolph, first Attorney-General of the United States, writing to Madison (Feb. 29, 1788) remarks concerning the new constitution's Art. VI. Sect. 3: "Does not this exception as to a religious test imply that the Congress, by the general words, had power over religion?"—*Editor.*

enough. A Declaration of Rights is, by reciprocity, a Declaration of Duties also. Whatever is my right as a man is also the right of another; and it becomes my duty to guarantee as well as to possess.

The first three articles are the basis of Liberty, as well individual as national; nor can any country be called free whose government does not take its beginning from the principles they contain, and continue to preserve them pure; and the whole of the Declaration of Rights is of more value to the world, and will do more good, than all the laws and statutes that have yet been promulgated.

In the declaratory exordium which prefaces the Declaration of Rights we see the solemn and majestic spectacle of a nation opening its commission, under the auspices of its Creator, to establish a Government, a scene so new, and so transcendantly unequalled by anything in the European world, that the name of a Revolution is diminutive of its character, and it rises into a Regeneration of man. What are the present Governments of Europe but a scene of iniquity and oppression? What is that of England? Do not its own inhabitants say it is a market where every man has his price, and where corruption is common traffic at the expense of a deluded people? No wonder, then, that the French Revolution is traduced. Had it confined itself merely to the destruction of flagrant despotism perhaps Mr. Burke and some others had been silent. Their cry now is, "It has gone too far"—that is, it has gone too far for them. It stares corruption in the face, and the venal tribe are all alarmed. Their fear discovers itself in their outrage, and they are but publishing the groans of a wounded vice. But from such opposition the French Revolution, instead of suffering, receives an homage. The more it is struck the more sparks it will emit; and the fear is it will not be struck enough. It has nothing to dread from attacks; truth has given it an establishment, and time will record it with a name as lasting as his own.

Having now traced the progress of the French Revolution through most of its principal stages, from its commencement

to the taking of the Bastille, and its establishment by the Declaration of Rights, I will close the subject with the energetic apostrophe of M. de la Fayette—"*May this great monument, raised to Liberty, serve as a lesson to the oppressor, and an example to the oppressed!*" *

* See page 18 of this work.—N. B. Since the taking of the Bastille, the occurrences have been published: but the matters recorded in this narrative, are prior to that period; and some of them, as may be easily seen, can be but very little known.—*Author.*

NOTE: The Editor regrets that the following passage, which should have been inserted after the eighth line on page 341, was omitted:

He endeavoured to impress the Parliament by great words, and opened his authority by saying, "The King, our Lord and Master." The Parliament received him very coolly, and with their usual determination not to register the taxes: and in this manner the interview ended.

MISCELLANEOUS CHAPTER.

To prevent interrupting the argument in the preceding part of this work, or the narrative that follows it, I reserved some observations to be thrown together in a Miscellaneous Chapter; by which variety might not be censured for confusion. Mr. Burke's book is *all* Miscellany. His intention was to make an attack on the French Revolution; but instead of proceeding with an orderly arrangement, he has stormed it with a mob of ideas tumbling over and destroying one another.

But this confusion and contradiction in Mr. Burke's Book is easily accounted for.—When a man in a wrong cause attempts to steer his course by anything else than some polar truth or principle, he is sure to be lost. It is beyond the compass of his capacity to keep all the parts of an argument together, and make them unite in one issue, by any other means than having this guide always in view. Neither memory nor invention will supply the want of it. The former fails him, and the latter betrays him.

Notwithstanding the nonsense, for it deserves no better name, that Mr. Burke has asserted about hereditary rights, and hereditary succession, and that a Nation has not a right to form a Government of itself; it happened to fall in his way to give some account of what Government is. "*Government*," says he, "*is a contrivance of human wisdom.*"

Admitting that government is a contrivance of human *wisdom*, it must necessarily follow, that hereditary succession, and hereditary rights (as they are called), can make no part of it, because it is impossible to make wisdom hereditary; and on the other hand, *that* cannot be a wise contrivance, which in its operation may commit the government

of a nation to the wisdom of an idiot. The ground which Mr. Burke now takes is fatal to every part of his cause. The argument changes from hereditary rights to hereditary wisdom; and the question is, Who is the wisest man? He must now shew that every one in the line of hereditary succession was a Solomon, or his title is not good to be a king. What a stroke has Mr. Burke now made! To use a sailor's phrase, he has *swabbed the deck*, and scarcely left a name legible in the list of Kings; and he has mowed down and thinned the House of Peers, with a scythe as formidable as Death and Time.

But Mr. Burke appears to have been aware of this retort; and he has taken care to guard against it, by making government to be not only a *contrivance* of human wisdom, but a *monopoly* of wisdom. He puts the nation as fools on one side, and places his government of wisdom, all wise men of Gotham, on the other side; and he then proclaims, and says that "*Men have a* RIGHT *that their* WANTS *should be provided for by this wisdom.*" Having thus made proclamation, he next proceeds to explain to them what their *wants* are, and also what their *rights* are. In this he has succeeded dextrously, for he makes their wants to be a *want* of wisdom; but as this is cold comfort, he then informs them, that they have a *right* (not to any of the wisdom) but to be governed by it; and in order to impress them with a solemn reverence for this monopoly-government of wisdom, and of its vast capacity for all purposes, possible or impossible, right or wrong, he proceeds with astrological mysterious importance, to tell to them its powers in these words: "The rights of men in government are their advantages; and these are often in balance between differences of good; and in compromises sometimes between *good* and *evil*, and sometimes between *evil* and *evil*. Political reason is a *computing principle;* adding—subtracting—multiplying—and dividing, morally and not metaphysically or mathematically, true moral denominations."

As the wondering audience, whom Mr. Burke supposes himself talking to, may not understand all this learned jar-

gon, I will undertake to be its interpreter. The meaning, then, good people, of all this, is: *That government is governed by no principle whatever; that it can make evil good, or good evil, just as it pleases. In short, that government is arbitrary power.*

But there are some things which Mr. Burke has forgotten. *First*, he has not shewn where the wisdom originally came from: and *secondly*, he has not shewn by what authority it first began to act. In the manner he introduces the matter, it is either government stealing wisdom, or wisdom stealing government. It is without an origin, and its powers without authority. In short, it is usurpation.

Whether it be from a sense of shame, or from a consciousness of some radical defect in a government necessary to be kept out of sight, or from both, or from any other cause, I undertake not to determine, but so it is, that a monarchical reasoner never traces government to its source, or from its source. It is one of the *shibboleths* by which he may be known. A thousand years hence, those who shall live in America or France, will look back with contemplative pride on the origin of their government, and say, *This was the work of our glorious ancestors!* But what can a monarchical talker say? What has he to exult in? Alas he has nothing. A certain something forbids him to look back to a beginning, lest some robber, or some Robin Hood, should rise from the long obscurity of time and say, *I am the origin.* Hard as Mr. Burke labored at the Regency Bill and Hereditary Succession two years ago, and much as he dived for precedents, he still had not boldness enough to bring up William of Normandy, and say, *There is the head of the list! there is the fountain of honor!* the son of a prostitute, and the plunderer of the English nation.

The opinions of men with respect to government are changing fast in all countries. The Revolutions of America and France have thrown a beam of light over the world, which reaches into man. The enormous expense of governments has provoked people to think, by making them feel; and when once the veil begins to rend, it admits not of re-

pair. Ignorance is of a peculiar nature: once dispelled, it is impossible to re-establish it. It is not originally a thing of itself, but is only the absence of knowledge; and though man may be *kept* ignorant, he cannot be *made* ignorant. The mind, in discovering truth, acts in the same manner as it acts through the eye in discovering objects; when once any object has been seen, it is impossible to put the mind back to the same condition it was in before it saw it. Those who talk of a counter-revolution in France, show how little they understand of man. There does not exist in the compass of language an arrangement of words to express so much as the means of effecting a counter-revolution. The means must be an obliteration of knowledge; and it has never yet been discovered how to make man *unknow* his knowledge, or *unthink* his thoughts.

Mr. Burke is laboring in vain to stop the progress of knowledge; and it comes with the worse grace from him, as there is a certain transaction known in the city which renders him suspected of being a pensioner in a fictitious name. This may account for some strange doctrine he has advanced in his book, which though he points it at the Revolution Society, is effectually directed against the whole nation.

"The King of England," says he, "holds *his* crown (for it does not belong to the Nation, according to Mr. Burke) in *contempt* of the choice of the Revolution Society, who have not a single vote for a king among them either *individually* or *collectively;* and his Majesty's heirs each in their time and order, will come to the Crown *with the same contempt* of their choice, with which his Majesty has succeeded to that which he now wears."

As to who is King in England or elsewhere, or whether there is any King at all, or whether the people choose a Cherokee chief, or a Hessian hussar for a King, it is not a matter that I trouble myself about—be that to themselves; but with respect to the doctrine, so far as it relates to the Rights of Men and Nations, it is as abominable as anything ever uttered in the most enslaved country under heaven. Whether it sounds worse to my ear, by not being accustomed

to hear such despotism, than what it does to the ear of another person, I am not so well a judge of; but of its abominable principle I am at no loss to judge.

It is not the Revolution Society that Mr. Burke means; it is the Nation, as well in its *original* as in its *representative* character; and he has taken care to make himself understood, by saying that they have not a vote either *collectively* or *individually*. The Revolution Society is composed of citizens of all denominations, and of members of both the Houses of Parliament; and consequently, if there is not a right to a vote in any of the characters, there can be no right to any either in the nation or in its Parliament. This ought to be a caution to every country how it imports foreign families to be kings. It is somewhat curious to observe, that although the people of England had been in the habit of talking about kings, it is always a Foreign House of Kings; hating Foreigners yet governed by them.—It is now the House of Brunswick, one of the petty tribes of Germany.

It has hitherto been the practice of the English Parliaments to regulate what was called the succession (taking it for granted that the Nation then continued to accord to the form of annexing a monarchical branch of its government; for without this the Parliament could not have had authority to have sent either to Holland or to Hanover, or to impose a king upon the nation against its will.) And this must be the utmost limit to which Parliament can go upon this case; but the right of the Nation goes to the *whole* case, because it has the right of changing its *whole* form of government. The right of a Parliament is only a right in trust, a right by delegation, and that but from a very small part of the Nation; and one of its Houses has not even this. But the right of the Nation is an original right, as universal as taxation. The nation is the paymaster of everything, and everything must conform to its general will.

I remember taking notice of a speech in what is called the English House of Peers, by the then Earl of Shelburne, and I think it was at the time he was Minister, which is applic-

able to this case. I do not directly charge my memory with every particular; but the words and the purport, as nearly as I remember, were these: "*That the form of a Government was a matter wholly at the will of the Nation at all times, that if it chose a monarchical form, it had a right to have it so; and if it afterwards chose to be a Republic, it had a right to be a Republic, and to say to a King, 'We have no longer any occasion for you.'*"

When Mr. Burke says that "His Majesty's heirs and successors, each in their time and order, will come to the crown with the *same contempt* of their choice with which His Majesty had succeeded to that he wears," it is saying too much even to the humblest individual in the country; part of whose daily labor goes towards making up the million sterling a-year, which the country gives the person it styles a king. Government with insolence is despotism; but when contempt is added it becomes worse; and to pay for contempt is the excess of slavery. This species of government comes from Germany; and reminds me of what one of the Brunswick soldiers told me, who was taken prisoner by the Americans in the late war: "Ah!" said he, "America is a fine free country, it is worth the people's fighting for; I know the difference by knowing my own: in my country, if the prince says eat straw, we eat straw." God help that country, thought I, be it England or elsewhere, whose liberties are to be protected by German principles of government, and Princes of Brunswick!

As Mr. Burke sometimes speaks of England, sometimes of France, and sometimes of the world, and of government in general, it is difficult to answer his book without apparently meeting him on the same ground. Although principles of Government are general subjects, it is next to impossible, in many cases, to separate them from the idea of place and circumstance, and the more so when circumstances are put for arguments, which is frequently the case with Mr. Burke.

In the former part of his book, addressing himself to the people of France, he says: "No experience has taught us (meaning the English), that in any other course or method

than that of a *hereditary crown*, can our liberties be regularly perpetuated and preserved sacred as our *hereditary right*." I ask Mr. Burke, who is to take them away? M. de la Fayette, in speaking to France, says: "*For a Nation to be free, it is sufficient that she wills it.*" But Mr. Burke represents England as wanting capacity to take care of itself, and that its liberties must be taken care of by a King holding it in "contempt." If England is sunk to this, it is preparing itself to eat straw, as in Hanover, or in Brunswick. But besides the folly of the declaration, it happens that the facts are all against Mr. Burke. It was by the government *being hereditary*, that the liberties of the people were endangered. Charles I. and James II. are instances of this truth; yet neither of them went so far as to hold the Nation in contempt.

As it is sometimes of advantage to the people of one country to hear what those of other countries have to say respecting it, it is possible that the people of France may learn something from Mr. Burke's book, and that the people of England may also learn something from the answers it will occasion. When Nations fall out about freedom, a wide field of debate is opened. The argument commences with the rights of war, without its evils, and as knowledge is the object contended for, the party that sustains the defeat obtains the prize.

Mr. Burke talks about what he calls an hereditary crown, as if it were some production of Nature; or as if, like Time, it had a power to operate, not only independently, but in spite of man; or as if it were a thing or a subject universally consented to. Alas! it has none of those properties, but is the reverse of them all. It is a thing in imagination, the propriety of which is more than doubted, and the legality of which in a few years will be denied.

But, to arrange this matter in a clearer view than what general expression can convey, it will be necessary to state the distinct heads under which (what is called) an hereditary crown, or more properly speaking, an hereditary succession to the Government of a Nation, can be considered; which are,

First, The right of a particular Family to establish itself.

Secondly, The right of a Nation to establish a particular Family.

With respect to the *first* of these heads, that of a Family establishing itself with hereditary powers on its own authority, and independent of the consent of a Nation, all men will concur in calling it despotism; and it would be trespassing on their understanding to attempt to prove it.

But the *second* head, that of a Nation establishing a particular Family with *hereditary powers*, does not present itself as despotism on the first reflexion; but if men will permit a second reflexion to take place, and carry that reflexion forward but one remove out of their own persons to that of their offspring, they will then see that hereditary succession becomes in its consequences the same despotism to others, which they reprobated for themselves. It operates to preclude the consent of the succeeding generations; and the preclusion of consent is despotism. When the person who at any time shall be in possession of a Government, or those who stand in succession to him, shall say to a Nation, I hold this power in "contempt" of you, it signifies not on what authority he pretends to say it. It is no relief, but an aggravation to a person in slavery, to reflect that he was sold by his parent; and as that which heightens the criminality of an act cannot be produced to prove the legality of it, hereditary succession cannot be established as a legal thing.

In order to arrive at a more perfect decision on this head, it will be proper to consider the generation which undertakes to establish a Family with *hereditary powers*, apart and separate from the generations which are to follow; and also to consider the character in which the *first* generation acts with respect to succeeding generations.

The generation which first selects a person, and puts him at the head of its Government, either with the title of King, or any other distinction, acts on its *own choice*, be it wise or foolish, as a free agent for itself. The person so set up is

not hereditary, but selected and appointed; and the generation who sets him up, does not live under a hereditary government, but under a government of its own choice and establishment. Were the generation who sets him up, and the person so set up, to live for ever, it never could become hereditary succession; and of consequence hereditary succession can only follow on the death of the first parties.

As, therefore, hereditary succession is out of the question with respect to the *first* generation, we have now to consider the character in which *that* generation acts with respect to the commencing generation, and to all succeeding ones.

It assumes a character, to which it has neither right nor title. It changes itself from a *Legislator* to a *Testator*, and effects to make its Will, which is to have operation after the demise of the makers, to bequeath the Government; and it not only attempts to bequeath, but to establish on the succeeding generation, a new and different form of Government under which itself lived. Itself, as already observed, lived not under a hereditary Government but under a Government of its own choice and establishment; and it now attempts, by virtue of a will and testament (and which it has not authority to make), to take from the commencing generation, and all future ones, the rights and free agency by which itself acted.

But, exclusive of the right which any generation has to act collectively as a testator, the objects to which it applies itself in this case, are not within the compass of any law, or of any will or testament.

The rights of men in society, are neither devisable or transferable, nor annihilable, but are descendable only, and it is not in the power of any generation to intercept finally, and cut off the descent. If the present generation, or any other, are disposed to be slaves, it does not lessen the right of the succeeding generation to be free. Wrongs cannot have a legal descent. When Mr. Burke attempts to maintain that the *English nation did at the Revolution of*

1688, most solemnly renounce and abdicate their rights for themselves, and for all their posterity forever, he speaks a language that merits not reply, and which can only excite contempt for his prostitute principles, or pity for his ignorance.

In whatever light hereditary succession, as growing out of the will and testament of some former generation, presents itself, it is an absurdity. A cannot make a will to take from B the property of B, and give it to C; yet this is the manner in which (what is called) hereditary succession by law operates. A certain former generation made a will, to take away the rights of the commencing generation, and all future ones, and convey those rights to a third person, who afterwards comes forward, and tells them, in Mr. Burke's language, that they have *no rights*, that their rights are already bequeathed to him and that he will govern in *contempt* of them. From such principles, and such ignorance, good Lord deliver the world!

But, after all, what is this metaphor called a crown, or rather what is monarchy? Is it a thing, or is it a name, or is it a fraud? Is it a "contrivance of human wisdom," or of human craft to obtain money from a nation under specious pretences? Is it a thing necessary to a nation? If it is, in what does that necessity consist, what service does it perform, what is its business, and what are its merits? Does the virtue consist in the metaphor, or in the man? Doth the goldsmith that makes the crown, make the virtue also? Doth it operate like Fortunatus's wishing-cap, or Harlequin's wooden sword? Doth it make a man a conjurer? In fine, what is it? It appears to be something going much out of fashion, falling into ridicule, and rejected in some countries, both as unnecessary and expensive. In America it is considered as an absurdity; and in France it has so far declined, that the goodness of the man, and the respect for his personal character, are the only things that preserve the appearance of its existence.

If government be what Mr. Burke describes it, "a contrivance of human wisdom," I might ask him, if wisdom was at

such a low ebb in England, that it was become necessary to import it from Holland and from Hanover? But I will do the country the justice to say, that was not the case; and even if it was, it mistook the cargo. The wisdom of every country, when properly exerted, is sufficient for all its purposes; and there could exist no more real occasion in England to have sent for a Dutch Stadtholder, or a German Elector, than there was in America to have done a similar thing. If a country does not understand its own affairs, how is a foreigner to understand them, who knows neither its laws, its manners, nor its language? If there existed a man so transcendently wise above all others, that his wisdom was necessary to instruct a nation, some reason might be offered for monarchy; but when we cast our eyes about a country, and observe how every part understands its own affairs; and when we look around the world, and see that of all men in it, the race of kings are the most insignificant in capacity, our reason cannot fail to ask us—What are those men kept for?

If there is anything in monarchy which we people of America do not understand, I wish Mr. Burke would be so kind as to inform us. I see in America, a government extending over a country ten times as large as England, and conducted with regularity, for a fortieth part of the expense which Government costs in England. If I ask a man in America if he wants a King, he retorts, and asks me if I take him for an ideot? How is it that this difference happens? are we more or less wise than others? I see in America the generality of people living in a style of plenty unknown in monarchical countries; and I see that the principle of its government, which is that of the *equal Rights of Man*, is making a rapid progress in the world.

If monarchy is a useless thing, why is it kept up anywhere? and if a necessary thing, how can it be dispensed with? That *civil government* is necessary, all civilised nations will agree; but civil government is republican government. All that part of the government of England which begins with the office of constable, and proceeds

through the department of magistrate, quarter-sessions, and general assize, including trial by jury, is republican government. Nothing of monarchy appears in any part of it, except in the name which William the Conqueror imposed upon the English, that of obliging them to call him "Their Sovereign Lord the King."

It is easy to conceive that a band of interested men, such as Placemen, Pensioners, Lords of the bed-chamber, Lords of the kitchen, Lords of the necessary-house, and the Lord knows what besides, can find as many reasons for monarchy as their salaries, paid at the expence of the country, amount to; but if I ask the farmer, the manufacturer, the merchant, the tradesman, and down through all the occupations of life to the common laborer, what service monarchy is to him? he can give me no answer. If I ask him what monarchy is, he believes it is something like a sinecure.

Notwithstanding the taxes of England amount to almost seventeen millions a year, said to be for the expences of Government, it is still evident that the sense of the Nation is left to govern itself, and does govern itself, by magistrates and juries, almost at its own charge, on republican principles, exclusive of the expence of taxes. The salaries of the judges are almost the only charge that is paid out of the revenue. Considering that all the internal government is executed by the people, the taxes of England ought to be the lightest of any nation in Europe; instead of which, they are the contrary. As this cannot be accounted for on the score of civil government, the subject necessarily extends itself to the monarchical part.

When the people of England sent for George the First (and it would puzzle a wiser man than Mr. Burke to discover for what he could be wanted, or what service he could render), they ought at least to have conditioned for the abandonment of Hanover. Besides the endless German intrigues that must follow from a German Elector being King of England, there is a natural impossibility of uniting in the same person the principles of Freedom and the principles of Despotism, or as it is usually called in England

Arbitrary Power. A German Elector is in his electorate a despot; how then could it be expected that he should be attached to principles of liberty in one country, while his interest in another was to be supported by despotism? The union cannot exist; and it might easily have been foreseen that German Electors would make German Kings, or in Mr. Burke's words, would assume government with "contempt." The English have been in the habit of considering a King of England only in the character in which he appears to them; whereas the same person, while the connection lasts, has a home-seat in another country, the interest of which is different to their own, and the principles of the governments in opposition to each other. To such a person England will appear as a town-residence, and the Electorate as the estate. The English may wish, as I believe they do, success to the principles of liberty in France, or in Germany; but a German Elector trembles for the fate of despotism in his electorate; and the Duchy of Mecklenburgh, where the present Queen's family governs, is under the same wretched state of arbitrary power, and the people in slavish vassalage.

There never was a time when it became the English to watch continental intrigues more circumspectly than at the present moment, and to distinguish the politics of the Electorate from the politics of the Nation. The Revolution of France has entirely changed the ground with respect to England and France, as nations; but the German despots, with Prussia at their head, are combining against liberty; and the fondness of Mr. Pitt for office, and the interest which all his family connections have obtained, do not give sufficient security against this intrigue.

As everything which passes in the world becomes matter for history, I will now quit this subject, and take a concise review of the state of parties and politics in England, as Mr. Burke has done in France.

Whether the present reign commenced with contempt, I leave to Mr. Burke: certain, however, it is, that it had strongly that appearance. The animosity of the English

nation, it is very well remembered, ran high; and, had the true principles of Liberty been as well understood then as they now promise to be, it is probable the Nation would not have patiently submitted to so much. George the First and Second were sensible of a rival in the remains of the Stuarts; and as they could not but consider themselves as standing on their good behaviour, they had prudence to keep their German principles of government to themselves; but as the Stuart family wore away, the prudence became less necessary.

The contest between rights, and what were called prerogatives, continued to heat the nation till some time after the conclusion of the American War, when all at once it fell a calm—Execration exchanged itself for applause, and Court popularity sprung up like a mushroom in a night.

To account for this sudden transition, it is proper to observe that there are two distinct species of popularity; the one excited by merit, and the other by resentment. As the Nation had formed itself into two parties, and each was extolling the merits of its parliamentary champions for and against prerogative, nothing could operate to give a more general shock than an immediate coalition of the champions themselves.[1] The partisans of each being thus suddenly left in the lurch, and mutually heated with disgust at the measure, felt no other relief than uniting in a common execration against both. A higher stimulus of resentment being thus excited than what the contest on prerogatives occasioned, the nation quitted all former objects of rights and wrongs, and sought only that of gratification. The indignation at the Coalition so effectually superseded the indignation against the Court as to extinguish it; and without any change of principles on the part of the Court, the same people who had reprobated its despotism united with it to revenge themselves on the Coalition Parliament. The case was not, which they liked best, but which they hated most; and the least hated passed for love. The dissolution of the

[1] Fox and Lord North, with whom Burke also had united, though he and Fox had once proposed to impeach North.—*Editor.*

Coalition Parliament, as it afforded the means of gratifying the resentment of the Nation, could not fail to be popular; and from hence arose the popularity of the Court.

Transitions of this kind exhibit a Nation under the government of temper, instead of a fixed and steady principle; and having once committed itself, however rashly, it feels itself urged along to justify by continuance its first proceeding. Measures which at other times it would censure it now approves, and acts persuasion upon itself to suffocate its judgment.

On the return of a new Parliament, the new Minister, Mr. Pitt, found himself in a secure majority; and the Nation gave him credit, not out of regard to himself, but because it had resolved to do it out of resentment to another. He introduced himself to public notice by a proposed Reform of Parliament, which in its operation would have amounted to a public justification of corruption. The Nation was to be at the expence of buying up the rotten boroughs, whereas it ought to punish the persons who deal in the traffic.

Passing over the two bubbles of the Dutch business and the million a-year to sink the national debt, the matter which most presents itself, is the affair of the Regency. Never, in the course of my observation, was delusion more successfully acted, nor a nation more completely deceived. But, to make this appear, it will be necessary to go over the circumstances.

Mr. Fox had stated in the House of Commons, that the Prince of Wales, as heir in succession, had a right in himself to assume the Government. This was opposed by Mr. Pitt; and, so far as the opposition was confined to the doctrine, it was just. But the principles which Mr. Pitt maintained on the contrary side were as bad, or worse in their extent, than those of Mr. Fox; because they went to establish an aristocracy over the nation, and over the small representation it has in the House of Commons.[1]

[1] George III. having become insane (1788), Pitt held, against Fox and Burke, that the Prince of Wales had no more right than any private individual to reign unless chosen by the two Houses of Parliament. No doubt Paine regarded this as virtually making over to the Peers a providential opportunity for a representative election.—*Editor*.

Whether the English form of Government be good or bad, is not in this case the question; but, taking it as it stands, without regard to its merits or demerits, Mr. Pitt was farther from the point than Mr. Fox.

It is supposed to consist of three parts:—while therefore the Nation is disposed to continue this form, the parts have a *national standing*, independent of each other, and are not the creatures of each other. Had Mr. Fox passed through Parliament, and said that the person alluded to claimed on the ground of the Nation, Mr. Pitt must then have contended what he called the right of the Parliament against the right of the Nation.

By the appearance which the contest made, Mr. Fox took the hereditary ground, and Mr. Pitt the Parliamentary ground; but the fact is, they both took hereditary ground, and Mr. Pitt took the worst of the two.

What is called the Parliament is made up of two Houses, one of which is more hereditary, and more beyond the controul of the Nation than what the Crown (as it is called) is supposed to be. It is an hereditary aristocracy, assuming and asserting indefeasible, irrevocable, rights and authority, wholly independent of the Nation. Where, then, was the merited popularity of exalting this hereditary power over another hereditary power less independent of the Nation than what itself assumed to be, and of absorbing the rights of the Nation into a House over which it has neither election nor controul?

The general impulse of the Nation was right; but it acted without reflection. It approved the opposition made to the right set up by Mr. Fox, without perceiving that Mr. Pitt was supporting another indefeasible right more remote from the Nation, in opposition to it.

With respect to the House of Commons, it is elected but by a small part of the Nation; but were the election as universal as taxation, which it ought to be, it would still be only the organ of the Nation, and cannot possess inherent rights. —When the National Assembly of France resolves a matter, the resolve is made in right of the Nation; but Mr. Pitt,

on all national questions, so far as they refer to the House of Commons, absorbs the rights of the Nation into the organ, and makes the organ into a Nation, and the Nation itself into a cypher.

In a few words, the question on the Regency was a question of a million a-year, which is appropriated to the executive department: and Mr. Pitt could not possess himself of any management of this sum, without setting up the supremacy of Parliament; and when this was accomplished, it was indifferent who should be Regent, as he must be Regent at his own cost. Among the curiosities which this contentious debate afforded, was that of making the Great Seal into a King, the affixing of which to an act was to be royal authority. If, therefore, Royal Authority is a Great Seal, it consequently is in itself nothing; and a good Constitution would be of infinitely more value to the Nation than what the three Nominal Powers, as they now stand, are worth.

The continual use of the word *Constitution* in the English Parliament shews there is none; and that the whole is merely a form of government without a Constitution, and constituting itself with what powers it pleases. If there were a Constitution, it certainly could be referred to; and the debate on any constitutional point would terminate by producing the Constitution. One member says this is Constitution, and another says that is Constitution—To-day it is one thing; and to-morrow something else—while the maintaining of the debate proves there is none. Constitution is now the cant word of Parliament, tuning itself to the ear of the Nation. Formerly it was the *universal supremacy of Parliament*—the *omnipotence of Parliament:* But since the progress of Liberty in France, those phrases have a despotic harshness in their note; and the English Parliament have catched the fashion from the National Assembly, but without the substance, of speaking of *Constitution.*

As the present generation of the people in England did not make the Government, they are not accountable for any of its defects; but, that sooner or later, it must come into their hands to undergo a constitutional reformation, is as

certain as that the same thing has happened in France. If France, with a revenue of nearly twenty-four millions sterling, with an extent of rich and fertile country above four times larger than England, with a population of twenty-four millions of inhabitants to support taxation, with upwards of ninety millions sterling of gold and silver circulating in the nation, and with a debt less than the present debt of England—still found it necessary, from whatever cause, to come to a settlement of its affairs, it solves the problem of funding for both countries.

It is out of the question to say how long what is called the English constitution has lasted, and to argue from thence how long it is to last; the question is, how long can the funding system last? It is a thing but of modern invention, and has not yet continued beyond the life of a man; yet in that short space it has so far accumulated, that, together with the current expenses, it requires an amount of taxes at least equal to the whole landed rental of the nation in acres to defray the annual expenditure. That a government could not have always gone on by the same system which has been followed for the last seventy years, must be evident to every man; and for the same reason it cannot always go on.

The funding system is not money; neither is it, properly speaking, credit. It, in effect, creates upon paper the sum which it appears to borrow, and lays on a tax to keep the imaginary capital alive by the payment of interest and sends the annuity to market, to be sold for paper already in circulation. If any credit is given, it is to the disposition of the people to pay the tax, and not to the government, which lays it on. When this disposition expires, what is supposed to be the credit of Government expires with it. The instance of France under the former Government shews that it is impossible to compel the payment of taxes by force, when a whole nation is determined to take its stand upon that ground,

Mr. Burke, in his review of the finances of France, states the quantity of gold and silver in France, at about eighty-

eight millions sterling. In doing this, he has, I presume, divided by the difference of exchange, instead of the standard of twenty-four livres to a pound sterling; for M. Neckar's statement, from which Mr. Burke's is taken, is *two thousand two hundred millions of livres*, which is upwards of ninety-one millions and a half sterling.

M. Neckar in France, and Mr. George Chalmers at the Office of Trade and Plantation in England, of which Lord Hawkesbury is president, published nearly about the same time (1786) an account of the quantity of money in each nation, from the returns of the Mint of each Nation. Mr. Chalmers, from the returns of the English Mint at the Tower of London, states the quantity of money in England, including Scotland and Ireland, to be twenty millions sterling.*

M. Neckar † says that the amount of money in France, recoined from the old coin which was called in, was two thousand five hundred millions of livres (upwards of one hundred and four millions sterling); and, after deducting for waste, and what may be in the West Indies and other possible circumstances, states the circulation quantity at home to be ninety-one millions and a half sterling; but, taking it as Mr. Burke has put it, it is sixty-eight millions more than the national quantity in England.

That the quantity of money in France cannot be under this sum, may at once be seen from the state of the French Revenue, without referring to the records of the French Mint for proofs. The revenue of France, prior to the Revolution, was nearly twenty-four millions sterling; and as paper had then no existence in France the whole revenue was collected upon gold and silver; and it would have been impossible to have collected such a quantity of revenue upon a less national quantity than M. Neckar has stated. Before the establishment of paper in England, the revenue was about a fourth part of the national amount of gold and

* See "Estimate of the Comparative Strength of Great Britain," by G. Chalmers.—*Author.*

† See "Administration of the Finances of France," vol. iii., by M. Neckar. —*Author.*

silver, as may be known by referring to the revenue prior to King William, and the quantity of money stated to be in the nation at that time, which was nearly as much as it is now.

It can be of no real service to a nation, to impose upon itself, or to permit itself to be imposed upon; but the prejudices of some, and the imposition of others, have always represented France as a nation possessing but little money —whereas the quantity is not only more than four times what the quantity is in England, but is considerably greater on a proportion of numbers. To account for this deficiency on the part of England, some reference should be had to the English system of funding. It operates to multiply paper, and to substitute it in the room of money, in various shapes; and the more paper is multiplied, the more opportunities are offered to export the specie; and it admits of a possibility (by extending it to small notes) of increasing paper till there is no money left.

I know this is not a pleasant subject to English readers; but the matters I am going to mention, are so important in themselves, as to require the attention of men interested in money transactions of a public nature. There is a circumstance stated by M. Neckar, in his treatise on the administration of the finances, which has never been attended to in England, but which forms the only basis whereon to estimate the quantity of money (gold and silver) which ought to be in every nation in Europe, to preserve a relative proportion with other nations.

Lisbon and Cadiz are the two ports into which (money) gold and silver from South America are imported, and which afterwards divide and spread themselves over Europe by means of commerce, and increase the quantity of money in all parts of Europe. If, therefore, the amount of the annual importation into Europe can be known, and the relative proportion of the foreign commerce of the several nations by which it can be distributed can be ascertained, they give a rule sufficiently true, to ascertain the quantity of money which ought to be found in any nation, at any given time.

M. Neckar shews from the registers of Lisbon and Cadiz, that the importation of gold and silver into Europe, is five millions sterling annually. He has not taken it on a single year, but on an average of fifteen succeeding years, from 1763 to 1777, both inclusive; in which time, the amount was one thousand eight hundred million livres, which is seventy-five millions sterling.*

From the commencement of the Hanover succession in 1714 to the time Mr. Chalmers published, is seventy-two years; and the quantity imported into Europe, in that time, would be three hundred and sixty millions sterling.

If the foreign commerce of Great Britain be stated at a sixth part of what the whole foreign commerce of Europe amounts to (which is probably an inferior estimation to what the gentlemen at the Exchange would allow) the proportion which Britain should draw by commerce of this sum, to keep herself on a proportion with the rest of Europe, would be also a sixth part which is sixty millions sterling; and if the same allowance for waste and accident be made for England which M. Neckar makes for France, the quantity remaining after these deductions would be fifty-two millions; and this sum ought to have been in the nation (at the time Mr. Chalmers published), in addition to the sum which was in the nation at the commencement of the Hanover succession, and to have made in the whole at least sixty-six millions sterling; instead of which there were but twenty millions, which is forty-six millions below its proportionate quantity.

As the quantity of gold and silver imported into Lisbon and Cadiz is more exactly ascertained than that of any commodity imported into England, and as the quantity of money coined at the Tower of London is still more positively known, the leading facts do not admit of controversy. Either, therefore, the commerce of England is unproductive of profit, or the gold and silver which it brings in leak continually away by unseen means at the average rate of about three-quarters of a million a year, which, in the course of

* "Administration of the Finances of France," vol. iii.—*Author.*

seventy-two years, accounts for the deficiency; and its absence is supplied by paper.*

* Whether the English commerce does not bring in money, or whether the government sends it out after it is brought in, is a matter which the parties concerned can best explain; but that the deficiency exists, is not in the power of either to disprove. While Dr. Price, Mr. Eden, (now Auckland,) Mr. Chalmers, and others, were debating whether the quantity of money in England was greater or less than at the Revolution, the circumstance was not adverted to, that since the Revolution, there cannot have been less than four hundred millions sterling imported into Europe; and therefore the quantity in England ought at least to have been four times greater than it was at the Revolution, to be on a proportion with Europe. What England is now doing by paper, is what she would have been able to do by solid money, if gold and silver had come into the nation in the proportion it ought, or had not been sent out; and she is endeavoring to restore by paper, the balance she has lost by money. It is certain, that the gold and silver which arrive annually in the register-ships to Spain and Portugal, do not remain in those countries. Taking the value half in gold and half in silver, it is about four hundred tons annually; and from the number of ships and galloons employed in the trade of bringing those metals from South-America to Portugal and Spain, the quantity sufficiently proves itself, without referring to the registers.

In the situation England now is, it is impossible she can increase in money. High taxes not only lessen the property of the individuals, but they lessen also the money capital of the nation, by inducing smuggling, which can only be carried on by gold and silver. By the politics which the British Government have carried on with the Inland Powers of Germany and the Continent, it has made an enemy of all the Maritime Powers, and is therefore obliged to keep up a large navy; but though the navy is built in England, the naval stores must be purchased from abroad, and that from countries where the greatest part must be paid for in gold and silver. Some fallacious rumours have been set afloat in England to induce a belief in money, and, among others, that of the French refugees bringing great quantities. The idea is ridiculous. The general part of the money in France is silver; and it would take upwards of twenty of the largest broad wheel wagons, with ten horses each, to remove one million sterling of silver. Is it then to be supposed, that a few people fleeing on horse-back or in post-chaises, in a secret manner, and having the French Custom-House to pass, and the sea to cross, could bring even a sufficiency for their own expences?

When millions of money are spoken of, it should be recollected, that such sums can only accumulate in a country by slow degrees, and a long procession of time. The most frugal system that England could now adopt, would not recover in a century the balance she has lost in money since the commencement of the Hanover succession. She is seventy millions behind France, and she must be in some considerable proportion behind every country in Europe, because the returns of the English mint do not shew an increase of money, while the registers of Lisbon and Cadiz shew an European increase of between three and four hundred millions sterling.—*Author.*

The Revolution of France is attended with many novel circumstances, not only in the political sphere, but in the circle of money transactions. Among others, it shows that a government may be in a state of insolvency and a nation rich. So far as the fact is confined to the late Government of France, it was insolvent; because the nation would no longer support its extravagance, and therefore it could no longer support itself—but with respect to the nation all the means existed. A government may be said to be insolvent every time it applies to the nation to discharge its arrears. The insolvency of the late Government of France and the present Government of England differed in no other respect than as the dispositions of the people differ. The people of France refused their aid to the old Government; and the people of England submit to taxation without inquiry. What is called the Crown in England has been insolvent several times; the last of which, publicly known, was in May, 1777, when it applied to the nation to discharge upwards of £600,000 private debts, which otherwise it could not pay.

It was the error of Mr. Pitt, Mr. Burke, and all those who were unacquainted with the affairs of France to confound the French nation with the French Government. The French nation, in effect, endeavoured to render the late Government insolvent for the purpose of taking government into its own hands: and it reserved its means for the support of the new Government. In a country of such vast extent and population as France the natural means cannot be wanting, and the political means appear the instant the nation is disposed to permit them. When Mr. Burke, in a speech last winter in the British Parliament, "cast his eyes over the map of Europe, and saw a chasm that once was France," he talked like a dreamer of dreams. The same natural France existed as before, and all the natural means existed with it. The only chasm was that which the extinction of despotism had left, and which was to be filled up with a Constitution more formidable in resources than the power which had expired.

Although the French Nation rendered the late Government insolvent, it did not permit the insolvency to act towards the creditors; and the creditors, considering the Nation as the real pay-master, and the Government only as the agent, rested themselves on the nation, in preference to the Government. This appears greatly to disturb Mr. Burke, as the precedent is fatal to the policy by which governments have supposed themselves secure. They have contracted debts, with a view of attaching what is called the monied interest of a Nation to their support; but the example in France shews that the permanent security of the creditor is in the Nation, and not in the Government; and that in all possible revolutions that may happen in Governments, the means are always with the Nation, and the Nation always in existence. Mr. Burke argues that the creditors ought to have abided the fate of the Government which they trusted; but the National Assembly considered them as the creditors of the Nation, and not of the Government —of the master, and not of the steward.

Notwithstanding the late government could not discharge the current expenses, the present government has paid off a great part of the capital. This has been accomplished by two means; the one by lessening the expenses of government, and the other by the sale of the monastic and ecclesiastical landed estates. The devotees and penitent debauchees, extortioners and misers of former days, to ensure themselves a better world than that they were about to leave, had bequeathed immense property in trust to the priesthood for *pious uses;* and the priesthood kept it for themselves. The National Assembly has ordered it to be sold for the good of the whole nation, and the priesthood to be decently provided for.

In consequence of the revolution, the annual interest of the debt of France will be reduced at least six millions sterling, by paying off upwards of one hundred millions of the capital; which, with lessening the former expenses of government at least three millions, will place France in a situation worthy the imitation of Europe.

Upon a whole review of the subject, how vast is the contrast! While Mr. Burke has been talking of a general bankruptcy in France, the National Assembly has been paying off the capital of its debt; and while taxes have increased near a million a year in England, they have lowered several millions a year in France. Not a word has either Mr. Burke or Mr. Pitt said about the French affairs, or the state of the French finances, in the present Session of Parliament. The subject begins to be too well understood, and imposition serves no longer.

There is a general enigma running through the whole of Mr. Burke's book. He writes in a rage against the National Assembly; but what is he enraged about? If his assertions were as true as they are groundless, and that France by her Revolution, had annihilated her power, and become what he calls a *chasm*, it might excite the grief of a Frenchman (considering himself as a national man), and provoke his rage against the National Assembly; but why should it excite the rage of Mr. Burke? Alas! it is not the nation of France that Mr. Burke means, but the Court; and every Court in Europe, dreading the same fate, is in mourning. He writes neither in the character of a Frenchman nor an Englishman, but in the fawning character of that creature known in all countries, and a friend to none—a courtier. Whether it be the Court of Versailles, or the Court of St. James, or Carlton-House, or the Court in expectation, signifies not; for the caterpillar principle of all Courts and Courtiers are alike. They form a common policy throughout Europe, detached and separate from the interest of Nations: and while they appear to quarrel, they agree to plunder. Nothing can be more terrible to a Court or Courtier than the Revolution of France. That which is a blessing to Nations is bitterness to them: and as their existence depends on the duplicity of a country, they tremble at the approach of principles, and dread the precedent that threatens their overthrow.

CONCLUSION.

REASON and Ignorance, the opposites of each other, influence the great bulk of mankind. If either of these can be rendered sufficiently extensive in a country, the machinery of Government goes easily on. Reason obeys itself; and Ignorance submits to whatever is dictated to it.

The two modes of the Government which prevail in the world, are, *first*, Government by election and representation: *Secondly*, Government by hereditary succession. The former is generally known by the name of republic; the latter by that of monarchy and aristocracy.

Those two distinct and opposite forms, erect themselves on the two distinct and opposite bases of Reason and Ignorance.—As the exercise of Government requires talents and abilities, and as talents and abilities cannot have hereditary descent, it is evident that hereditary succession requires a belief from man to which his reason cannot subscribe, and which can only be established upon his ignorance; and the more ignorant any country is, the better it is fitted for this species of Government.

On the contrary, Government, in a well-constituted republic, requires no belief from man beyond what his reason can give. He sees the *rationale* of the whole system, its origin and its operation; and as it is best supported when best understood, the human faculties act with boldness, and acquire, under this form of government, a gigantic manliness.

As, therefore, each of those forms acts on a different base, the one moving freely by the aid of reason, the other by ignorance; we have next to consider, what it is that gives motion to that species of Government which is called mixed

Government, or, as it is sometimes ludicrously stiled, a Government of *this*, *that* and *t'other*.

The moving power in this species of Government, is of necessity, Corruption. However imperfect election and representation may be in mixed Governments, they still give exercise to a greater portion of reason than is convenient to the hereditary Part ; and therefore it becomes necessary to buy the reason up. A mixed Government is an imperfect everything, cementing and soldering the discordant parts together by corruption, to act as a whole. Mr. Burke appears highly disgusted that France, since she had resolved on a revolution, did not adopt what he calls "*A British Constitution*"; and the regretful manner in which he expresses himself on this occasion implies a suspicion that the British Constitution needed something to keep its defects in countenance.

In mixed Governments there is no responsibility : the parts cover each other till responsibility is lost ; and the corruption which moves the machine, contrives at the same time its own escape. When it is laid down as a maxim, that *a King can do no wrong*, it places him in a state of similar security with that of ideots and persons insane, and responsibility is out of the question with respect to himself. It then descends upon the Minister, who shelters himself under a majority in Parliament, which, by places, pensions, and corruption, he can always command ; and that majority justifies itself by the same authority with which it protects the Minister. In this rotatory motion, responsibility is thrown off from the parts, and from the whole.

When there is a Part in a Government which can do no wrong, it implies that it does nothing; and is only the machine of another power, by whose advice and direction it acts. What is supposed to be the King in the mixed Governments, is the Cabinet ; and as the Cabinet is always a part of the Parliament, and the members justifying in one character what they advise and act in another, a mixed Government becomes a continual enigma ; entailing upon a country by the quantity of corruption necessary to solder the parts,

the expence of supporting all the forms of government at once, and finally resolving itself into a Government by Committee; in which the advisers, the actors, the approvers, the justifiers, the persons responsible, and the persons not responsible, are the same persons.

By this pantomimical contrivance, and change of scene and character, the parts help each other out in matters which neither of them singly would assume to act. When money is to be obtained, the mass of variety apparently dissolves, and a profusion of parliamentary praises passes between the parts. Each admires with astonishment, the wisdom, the liberality, the disinterestedness of the other: and all of them breathe a pitying sigh at the burthens of the Nation.

But in a well-constituted republic, nothing of this soldering, praising, and pitying, can take place; the representation being equal throughout the country, and compleat in itself, however it may be arranged into legislative and executive, they have all one and the same natural source. The parts are not foreigners to each other, like democracy, aristocracy, and monarchy. As there are no discordant distinctions, there is nothing to corrupt by compromise, nor confound by contrivance. Public measures appeal of themselves to the understanding of the Nation, and, resting on their own merits, disown any flattering applications to vanity. The continual whine of lamenting the burden of taxes, however successfully it may be practised in mixed Governments, is inconsistent with the sense and spirit of a republic. If taxes are necessary, they are of course advantageous; but if they require an apology, the apology itself implies an impeachment. Why, then, is man thus imposed upon, or why does he impose upon himself?

When men are spoken of as kings and subjects, or when Government is mentioned under the distinct and combined heads of monarchy, aristocracy, and democracy, what is it that *reasoning* man is to understand by the terms? If there really existed in the world two or more distinct and separate *elements* of human power, we should then see the several

origins to which those terms would descriptively apply; but as there is but one species of man, there can be but one element of human power; and that element is man himself. Monarchy, aristocracy, and democracy, are but creatures of imagination; and a thousand such may be contrived as well as three.

From the Revolutions of America and France, and the symptoms that have appeared in other countries, it is evident that the opinion of the world is changing with respect to systems of Government, and that revolutions are not within the compass of political calculations. The progress of time and circumstances, which men assign to the accomplishment of great changes, is too mechanical to measure the force of the mind, and the rapidity of reflection, by which revolutions are generated: All the old governments have received a shock from those that already appear, and which were once more improbable, and are a greater subject of wonder, than a general revolution in Europe would be now.

When we survey the wretched condition of man, under the monarchical and hereditary systems of Government, dragged from his home by one power, or driven by another, and impoverished by taxes more than by enemies, it becomes evident that those systems are bad, and that a general revolution in the principle and construction of Governments is necessary.

What is government more than the management of the affairs of a Nation? It is not, and from its nature cannot be, the property of any particular man or family, but of the whole community, at whose expence it is supported; and though by force and contrivance it has been usurped into an inheritance, the usurpation cannot alter the right of things. Sovereignty, as a matter of right, appertains to the Nation only, and not to any individual; and a Nation has at all times an inherent indefeasible right to abolish any form of Government it finds inconvenient, and to establish such as accords with its interest, disposition and happiness. The

romantic and barbarous distinction of men into Kings and subjects, though it may suit the condition of courtiers, cannot that of citizens; and is exploded by the principle upon which Governments are now founded. Every citizen is a member of the Sovereignty, and, as such, can acknowledge no personal subjection; and his obedience can be only to the laws.

When men think of what Government is, they must necessarily suppose it to possess a knowledge of all the objects and matters upon which its authority is to be exercised. In this view of Government, the republican system, as established by America and France, operates to embrace the whole of a Nation; and the knowledge necessary to the interest of all the parts, is to be found in the center, which the parts by representation form: But the old Governments are on a construction that excludes knowledge as well as happiness; Government by Monks, who knew nothing of the world beyond the walls of a Convent, is as consistent as government by Kings.

What were formerly called Revolutions, were little more than a change of persons, or an alteration of local circumstances. They rose and fell like things of course, and had nothing in their existence or their fate that could influence beyond the spot that produced them. But what we now see in the world, from the Revolutions of America and France, are a renovation of the natural order of things, a system of principles as universal as truth and the existence of man, and combining moral with political happiness and national prosperity.

"I. *Men are born, and always continue, free and equal in respect of their rights. Civil distinctions, therefore, can be founded only on public utility.*

"II. *The end of all political associations is the preservation of the natural and imprescriptible rights of man; and these rights are liberty, property, security, and resistance of oppression.*

"III. *The nation is essentially the source of all sovereignty; nor can any* INDIVIDUAL, *or* ANY BODY OF MEN, *be entitled to any authority which is not expressly derived from it.*"

In these principles, there is nothing to throw a Nation into confusion by inflaming ambition. They are calculated to call forth wisdom and abilities, and to exercise them for the public good, and not for the emolument or aggrandisement of particular descriptions of men or families. Monarchical sovereignty, the enemy of mankind, and the source of misery, is abolished; and the sovereignty itself is restored to its natural and original place, the Nation. Were this the case throughout Europe, the cause of wars would be taken away.

It is attributed to Henry the Fourth of France, a man of enlarged and benevolent heart, that he proposed, about the year 1610, a plan for abolishing war in Europe. The plan consisted in constituting an European Congress, or as the French authors stile it, a Pacific Republic; by appointing delegates from the several Nations who were to act as a Court of arbitration in any disputes that might arise between nation and nation.

Had such a plan been adopted at the time it was proposed, the taxes of England and France, as two of the parties, would have been at least ten millions sterling annually to each Nation less than they were at the commencement of the French Revolution.

To conceive a cause why such a plan has not been adopted (and that instead of a Congress for the purpose of *preventing* war, it has been called only to *terminate* a war, after a fruitless expence of several years) it will be necessary to consider the interest of Governments as a distinct interest to that of Nations.

Whatever is the cause of taxes to a Nation, becomes also the means of revenue to Government. Every war terminates with an addition of taxes, and consequently with an addition of revenue; and in any event of war, in the manner they are now commenced and concluded, the power and interest of Governments are increased. War, therefore, from its productiveness, as it easily furnishes the pretence of necessity for taxes and appointments to places and offices, becomes a principal part of the system of old Governments;

and to establish any mode to abolish war, however advantageous it might be to Nations, would be to take from such Government the most lucrative of its branches. The frivolous matters upon which war is made, shew the disposition and avidity of Governments to uphold the system of war, and betray the motives upon which they act.

Why are not Republics plunged into war, but because the nature of their Government does not admit of an interest distinct from that of the Nation? Even Holland, though an ill-constructed Republic, and with a commerce extending over the world, existed nearly a century without war: and the instant the form of Government was changed in France, the republican principles of peace and domestic prosperity and œconomy arose with the new Government; and the same consequences would follow the cause in other Nations.

As war is the system of Government on the old construction, the animosity which Nations reciprocally entertain, is nothing more than what the policy of their Governments excites to keep up the spirit of the system. Each Government accuses the other of perfidy, intrigue, and ambition, as a means of heating the imagination of their respective Nations, and incensing them to hostilities. Man is not the enemy of man, but through the medium of a false system of Government. Instead, therefore, of exclaiming against the ambition of Kings, the exclamation should be directed against the principle of such Governments; and instead of seeking to reform the individual, the wisdom of a Nation should apply itself to reform the system.

Whether the forms and maxims of Governments which are still in practice, were adapted to the condition of the world at the period they were established, is not in this case the question. The older they are, the less correspondence can they have with the present state of things. Time, and change of circumstances and opinions, have the same progressive effect in rendering modes of Government obsolete as they have upon customs and manners.—Agriculture, commerce, manufactures, and the tranquil arts, by which the prosperity of Nations is best promoted, require a different

system of Government, and a different species of knowledge to direct its operations, than what might have been required in the former condition of the world.

As it is not difficult to perceive, from the enlightened state of mankind, that hereditary Governments are verging to their decline, and that Revolutions on the broad basis of national sovereignty and Government by representation, are making their way in Europe, it would be an act of wisdom to anticipate their approach, and produce Revolutions by reason and accommodation, rather than commit them to the issue of convulsions.

From what we now see, nothing of reform in the political world ought to be held improbable. It is an age of Revolutions, in which everything may be looked for. The intrigue of Courts, by which the system of war is kept up, may provoke a confederation of Nations to abolish it: and an European Congress to patronise the progress of free Government, and promote the civilisation of Nations with each other, is an event nearer in probability, than once were the revolutions and alliance of France and America.

XIV.

RIGHTS OF MAN.

PART SECOND, COMBINING PRINCIPLE AND PRACTICE.

BY THOMAS PAINE.

FRENCH TRANSLATOR'S PREFACE.

(*1792.*)

THE work of which we offer a translation to the public has created the greatest sensation in England. Paine, that man of freedom, who seems born to preach "Common Sense" to the whole world with the same success as in America, explains in it to the people of England the theory of the practice of the Rights of Man.

Owing to the prejudices that still govern *that nation*, the author has been obliged to condescend to answer Mr. Burke. He has done so more especially in an extended preface which is nothing but a piece of very tedious controversy, in which he shows himself very sensitive to criticisms that do not really affect him. To translate it seemed an insult to the *free French people*, and similar reasons have led the editors to suppress also a dedicatory epistle addressed by Paine to Lafayette.

The French can no longer endure dedicatory epistles. A man should write privately to those he esteems: when he publishes a book his thoughts should be offered to the

public alone. Paine, that uncorrupted friend of freedom, believed too in the sincerity of Lafayette. So easy is it to deceive men of single-minded purpose! Bred at a distance from courts, that austere American does not seem any more on his guard against the artful ways and speech of courtiers than some Frenchmen who resemble him.

TO

M. DE LA FAYETTE.

AFTER an acquaintance of nearly fifteen years in difficult situations in America, and various consultations in Europe, I feel a pleasure in presenting to you this small treatise, in gratitude for your services to my beloved America, and as a testimony of my esteem for the virtues, public and private, which I know you too possess.

The only point upon which I could ever discover that we differed was not as to principles of government, but as to time. For my own part I think it equally as injurious to good principles to permit them to linger, as to push them on too fast. That which you suppose accomplishable in fourteen or fifteen years, I may believe practicable in a much shorter period. Mankind, as it appears to me, are always ripe enough to understand their true interest, provided it be presented clearly to their understanding, and that in a manner not to create suspicion by anything like self-design, nor offend by assuming too much. Where we would wish to reform we must not reproach.

When the American revolution was established I felt a disposition to sit serenely down and enjoy the calm. It did not appear to me that any object could afterwards arise great enough to make me quit tranquility and feel as I had felt before. But when principle, and not place, is the energetic cause of action, a man, I find, is everywhere the same.

I am now once more in the public world; and as I have not a right to contemplate on so many years of remaining life as you have, I have resolved to labour as fast as I can;

and as I am anxious for your aid and your company, I wish you to hasten your principles and overtake me.

If you make a campaign the ensuing spring, which it is most probable there will be no occasion for, I will come and join you. Should the campaign commence, I hope it will terminate in the extinction of German despotism, and in establishing the freedom of all Germany. When France shall be surrounded with revolutions she will be in peace and safety, and her taxes, as well as those of Germany, will consequently become less.

Your sincere,

Affectionate Friend,

THOMAS PAINE.

LONDON, Feb. 9, 1792.

PREFACE.

WHEN I began the chapter entitled the "*Conclusion*" in the former part of the RIGHTS OF MAN, published last year, it was my intention to have extended it to a greater length; but in casting the whole matter in my mind, which I wish to add, I found that it must either make the work too bulky, or contract my plan too much. I therefore brought it to a close as soon as the subject would admit, and reserved what I had further to say to another opportunity.

Several other reasons contributed to produce this determination. I wished to know the manner in which a work, written in a style of thinking and expression different to what had been customary in England, would be received before I proceeded farther. A great field was opening to the view of mankind by means of the French Revolution. Mr. Burke's outrageous opposition thereto brought the controversy into England. He attacked principles which he knew (from information) I would contest with him, because they are principles I believe to be good, and which I have contributed to establish, and conceive myself bound to defend. Had he not urged the controversy, I had most probably been a silent man.

Another reason for deferring the remainder of the work was, that Mr. Burke promised in his first publication to renew the subject at another opportunity, and to make a comparison of what he called the English and French Constitutions. I therefore held myself in reserve for him. He has published two works since, without doing this: which he certainly would not have omitted, had the comparison been in his favour.

In his last work, his "*Appeal from the New to the Old*

Whigs," he has quoted about ten pages from the RIGHTS OF MAN, and having given himself the trouble of doing this, says he "shall not attempt in the smallest degree to refute them," meaning the principles therein contained. I am enough acquainted with Mr. Burke to know that he would if he could. But instead of contesting them, he immediately after consoles himself with saying that "he has done his part."—He has not done his part. He has not performed his promise of a comparison of constitutions. He started the controversy, he gave the challenge, and has fled from it; and he is now a *case in point* with his own opinion that "*the age of chivalry is gone!*"

The title, as well as the substance of his last work, his "*Appeal*," is his condemnation. Principles must stand on their own merits, and if they are good they certainly will. To put them under the shelter of other men's authority, as Mr. Burke has done, serves to bring them into suspicion. Mr. Burke is not very fond of dividing his honours, but in this case he is artfully dividing the disgrace.

But who are those to whom Mr. Burke has made his appeal? A set of childish thinkers, and half-way politicians born in the last century, men who went no farther with any principle than as it suited their purposes as a party; the nation was always left out of the question; and this has been the character of every party from that day to this. The nation sees nothing in such works, or such politics, worthy its attention. A little matter will move a party, but it must be something great that moves a nation.

Though I see nothing in Mr. Burke's "Appeal" worth taking much notice of, there is, however, one expression upon which I shall offer a few remarks. After quoting largely from the RIGHTS OF MAN, and declining to contest the principles contained in that work, he says: "This will most probably be done (*if such writings shall be thought to deserve any other refutation than that of criminal justice*) by others, who may think with Mr. Burke and with the same zeal."[1]

[1] In his "Appeal" Burke wrote of himself in the third person.—*Editor.*

In the first place, it has not yet been done by anybody. Not less, I believe than eight or ten pamphlets intended as answers to the former part of the RIGHTS OF MAN have been published by different persons, and not one of them to my knowledge, has extended to a second edition, nor are even the titles of them so much as generally remembered. As I am averse to unnecessarily multiplying publications, I have answered none of them. And as I believe that a man may write himself out of reputation when nobody else can do it, I am careful to avoid that rock.

But as I would decline unnecessary publications on the one hand, so would I avoid everything that might appear like sullen pride on the other. If Mr. Burke, or any person on his side the question, will produce an answer to the RIGHTS OF MAN that shall extend to a half, or even to a fourth part of the number of copies to which the RIGHTS OF MAN extended, I will reply to his work. But until this be done, I shall so far take the sense of the public for my guide (and the world knows I am not a flatterer) that what they do not think worth while to read, is not worth mine to answer. I suppose the number of copies to which the first part of the RIGHTS OF MAN extended, taking England, Scotland, and Ireland, is not less than between forty and fifty thousand.

I now come to remark on the remaining part of the quotation I have made from Mr. Burke.

"If," says he, "such writing shall be thought to deserve any other refutation than that of *criminal* justice."

Pardoning the pun, it must be *criminal* justice indeed that should condemn a work as a substitute for not being able to refute it. The greatest condemnation that could be passed upon it would be a refutation. But in proceeding by the method Mr. Burke alludes to, the condemnation would, in the final event, pass upon the criminality of the process and not upon the work, and in this case, I had rather be the author, than be either the judge or the jury that should condemn it.

But to come at once to the point. I have differed from some professional gentlemen on the subject of prosecutions,

and I since find they are falling into my opinion, which I will here state as fully, but as concisely as I can.

I will first put a case with respect to any law, and then compare it with a government, or with what in England is, or has been, called a constitution.

It would be an act of despotism, or what in England is called arbitrary power, to make a law to prohibit investigating the principles, good or bad, on which such a law, or any other is founded.

If a law be bad it is one thing to oppose the practice of it, but it is quite a different thing to expose its errors, to reason on its defects, and to shew cause why it should be repealed, or why another ought to be substituted in its place. I have always held it an opinion (making it also my practice) that it is better to obey a bad law, making use at the same time of every argument to shew its errors and procure its repeal, than forcibly to violate it ; because the precedent of breaking a bad law might weaken the force, and lead to a discretionary violation, of those which are good.

The case is the same with respect to principles and forms of government, or to what are called constitutions and the parts of which they are composed.

It is for the good of nations and not for the emolument or aggrandisement of particular individuals, that government ought to be established, and that mankind are at the expence of supporting it. The defects of every government and constitution, both as to principle and form, must, on a parity of reasoning, be as open to discussion as the defects of a law, and it is a duty which every man owes to society to point them out. When those defects, and the means of remedying them, are generally seen by a nation, that nation will reform its government or its constitution in the one case, as the government repealed or reformed the law in the other. The operation of government is restricted to the making and the administering of laws ; but it is to a nation that the right of forming or reforming, generating or regenerating constitutions and governments belong ; and consequently those subjects, as subjects of investigation, are

always before a country *as a matter of right*, and cannot, without invading the general rights of that country, be made subjects for prosecution. On this ground I will meet Mr. Burke whenever he please. It is better that the whole argument should come out than to seek to stifle it. It was himself that opened the controversy, and he ought not to desert it.

I do not believe that monarchy and aristocracy will continue seven years longer in any of the enlightened countries in Europe. If better reasons can be shewn for them than against them, they will stand; if the contrary, they will not. Mankind are not now to be told they shall not think, or they shall not read; and publications that go no farther than to investigate principles of government, to invite men to reason and to reflect, and to shew the errors and excellences of different systems, have a right to appear. If they do not excite attention, they are not worth the trouble of a prosecution; and if they do, the prosecution will amount to nothing, since it cannot amount to a prohibition of reading. This would be a sentence on the public, instead of the author, and would also be the most effectual mode of making or hastening revolutions.

On all cases that apply universally to a nation, with respect to systems of government, a jury of *twelve* men is not competent to decide. Where there are no witnesses to be examined, no facts to be proved, and where the whole matter is before the whole public, and the merits or demerits of it resting on their opinion; and where there is nothing to be known in a court, but what every body knows out of it, every twelve men is equally as good a jury as the other, and would most probably reverse each other's verdict; or, from the variety of their opinions, not be able to form one. It is one case, whether a nation approve a work, or a plan; but it is quite another case, whether it will commit to any such jury the power of determining whether that nation have a right to, or shall reform its government or not. I mention those cases that Mr. Burke may see I have not written on Government without reflecting on what is Law,

as well as on what are Rights.—The only effectual jury in such cases would be, a convention of the whole nation fairly elected; for in all such cases the whole nation is the vicinage. If Mr. Burke will propose such a jury, I will wave all privileges of being the citizen of another country, and, defending its principles, abide the issue, provided he will do the same; for my opinion is, that his work and his principles would be condemned instead of mine.

As to the prejudices which men have from education and habit, in favour of any particular form or system of government, those prejudices have yet to stand the test of reason and reflection. In fact, such prejudices are nothing. No man is prejudiced in favour of a thing, knowing it to be wrong. He is attached to it on the belief of its being right; and when he sees it is not so, the prejudice will be gone. We have but a defective idea of what prejudice is. It *might be said*, that until men think for themselves the whole is prejudice, and *not opinion;* for that only is opinion which is the result of reason and reflection. I offer this remark, that Mr. Burke may not confide too much in what have been the customary prejudices of the country.

I do not believe that the people of England have ever been fairly and candidly dealt by. They have been imposed upon by parties, and by men assuming the character of leaders. It is time that the nation should rise above those trifles. It is time to dismiss that inattention which has so long been the encouraging cause of stretching taxation to excess. It is time to dismiss all those songs and toasts which are calculated to enslave, and operate to suffocate reflection. On all such subjects men have but to think, and they will neither act wrong nor be misled. To say that any people are not fit for freedom, is to make poverty their choice, and to say they had rather be loaded with taxes than not. If such a case could be proved, it would equally prove, that those who govern are not fit to govern them, for they are a part of the same national mass.

But admitting governments to be changed all over Europe; it certainly may be done without convulsion or revenge. It

is not worth making changes or revolutions, unless it be for some great national benefit: and when this shall appear to a nation, the danger will be, as in America and France, to those who oppose; and with this reflection I close my Preface.

THOMAS PAINE.

LONDON, Feb. 9, 1792.

RIGHTS OF MAN.

PART II.

INTRODUCTION.

WHAT Archimedes said of the mechanical powers, may be applied to Reason and Liberty. "*Had we*," said he, "*a place to stand upon, we might raise the world.*"

The revolution of America presented in politics what was only theory in mechanics. So deeply rooted were all the governments of the old world, and so effectually had the tyranny and the antiquity of habit established itself over the mind, that no beginning could be made in Asia, Africa, or Europe, to reform the political condition of man. Freedom had been hunted round the globe; reason was considered as rebellion; and the slavery of fear had made men afraid to think.

But such is the irresistible nature of truth, that all it asks, — and all it wants, — is the liberty of appearing. The sun needs no inscription to distinguish him from darkness; and no sooner did the American governments display themselves to the world, than despotism felt a shock and man began to contemplate redress.

The independence of America, considered merely as a separation from England, would have been a matter but of little importance, had it not been accompanied by a revolution in the principles and practice of governments. She made a stand, not for herself only, but for the world, and looked beyond the advantages herself could receive. Even the Hessian, though hired to fight against her, may live to

bless his defeat; and England, condemning the viciousness of its government, rejoice in its miscarriage.

As America was the only spot in the political world where the principle of universal reformation could begin, so also was it the best in the natural world. An assemblage of circumstances conspired, not only to give birth, but to add gigantic maturity to its principles. The scene which that country presents to the eye of a spectator, has something in it which generates and encourages great ideas. Nature appears to him in magnitude. The mighty objects he beholds, act upon his mind by enlarging it, and he partakes of the greatness he contemplates.—Its first settlers were emigrants from different European nations, and of diversified professions of religion, retiring from the governmental persecutions of the old world, and meeting in the new, not as enemies, but as brothers.[1] The wants which necessarily accompany the cultivation of a wilderness produced among them a state of society, which countries long harassed by the quarrels and intrigues of governments, had neglected to cherish. In such a situation man becomes what he ought. He sees his species, not with the inhuman idea of a natural enemy, but as kindred; and the example shews to the artificial world, that man must go back to Nature for information.

From the rapid progress which America makes in every species of improvement, it is rational to conclude that, if the governments of Asia, Africa, and Europe had begun on a principle similar to that of America, or had not been very early corrupted therefrom, those countries must by this time have been in a far superior condition to what they are. Age after age has passed away, for no other purpose than to behold their wretchedness. Could we suppose a spectator who knew nothing of the world, and who was put into it merely to make his observations, he would take a great part of the old world to be new, just struggling with the difficulties and hardships of an infant settlement. He could not suppose

[1] American colonial history, as explored since Paine's time, mars this rosy picture.—*Editor*.

that the hordes of miserable poor with which old countries abound could be any other than those who had not yet had time to provide for themselves. Little would he think they were the consequence of what in such countries they call government.

If, from the more wretched parts of the old world, we look at those which are in an advanced stage of improvement we still find the greedy hand of government thrusting itself into every corner and crevice of industry, and grasping the spoil of the multitude. Invention is continually exercised to furnish new pretences for revenue and taxation. It watches prosperity as its prey, and permits none to escape without a tribute.

As revolutions have begun, (and as the probability is always greater against a thing beginning, than of proceeding after it has begun) it is natural to expect that other revolutions will follow. The amazing and still increasing expences with which old governments are conducted, the numerous wars they engage in or provoke, the embarrassments they throw in the way of universal civilization and commerce, and the oppression and usurpation acted at home, have wearied out the patience, and exhausted the property of the world. In such a situation, and with such examples already existing, revolutions are to be looked for. They are become subjects of universal conversation, and may be considered as the *Order of the day.*

If systems of government can be introduced less expensive and more productive of general happiness than those which have existed, all attempts to oppose their progress will in the end be fruitless. Reason, like time, will make its own way, and prejudice will fall in a combat with interest. If universal peace, civilisation, and commerce are ever to be the happy lot of man, it cannot be accomplished but by a revolution in the system of governments. All the monarchical governments are military. War is their trade, plunder and revenue their objects. While such governments continue, peace has not the absolute security of a day. What is the history of all monarchical governments but a disgustful

picture of human wretchedness, and the accidental respite of a few years' repose? Wearied with war, and tired with human butchery, they sat down to rest, and called it peace. This certainly is not the condition that heaven intended for man; and if *this be monarchy*, well might monarchy be reckoned among the sins of the Jews.

The revolutions which formerly took place in the world had nothing in them that interested the bulk of mankind. They extended only to a change of persons and measures, but not of principles, and rose or fell among the common transactions of the moment. What we now behold may not improperly be called a "*counter revolution.*" Conquest and tyranny, at some earlier period, dispossessed man of his rights, and he is now recovering them. And as the tide of all human affairs has its ebb and flow in directions contrary to each other, so also is it in this. Government founded on a *moral theory, on a system of universal peace, on the indefeasible hereditary Rights of Man*, is now revolving from west to east by a stronger impulse than the government of the sword revolved from east to west. It interests not particular individuals, but nations in its progress, and promises a new era to the human race.

The danger to which the success of revolutions is most exposed is that of attempting them before the principles on which they proceed, and the advantages to result from them, are sufficiently seen and understood. Almost everything appertaining to the circumstances of a nation, has been absorbed and confounded under the general and mysterious word *government*. Though it avoids taking to its account the errors it commits, and the mischiefs it occasions, it fails not to arrogate to itself whatever has the appearance of prosperity. It robs industry of its honours, by pedanticly making itself the cause of its effects; and purloins from the general character of man, the merits that appertain to him as a social being.

It may therefore be of use in this day of revolutions to discriminate between those things which are the effect of government, and those which are not. This will best be

done by taking a review of society and civilisation, and the consequences resulting therefrom, as things distinct from what are called governments. By beginning with this investigation, we shall be able to assign effects to their proper causes and analize the mass of common errors.

CHAPTER I.

OF SOCIETY AND CIVILISATION.

GREAT part of that order which reigns among mankind is not the effect of government. It has its origin in the principles of society and the natural constitution of man. It existed prior to government, and would exist if the formality of government was abolished. The mutual dependence and reciprocal interest which man has upon man, and all the parts of civilised community upon each other, create that great chain of connection which holds it together. The landholder, the farmer, the manufacturer, the merchant, the tradesman, and every occupation, prospers by the aid which each receives from the other, and from the whole. Common interest regulates their concerns, and forms their law; and the laws which common usage ordains, have a greater influence than the laws of government. In fine society performs for itself almost everything which is ascribed to government.

To understand the nature and quantity of government proper for man, it is necessary to attend to his character. As Nature created him for social life, she fitted him for the station she intended. In all cases she made his natural wants greater than his individual powers. No one man is capable, without the aid of society, of supplying his own wants; and those wants, acting upon every individual, impel the whole of them into society, as naturally as gravitation acts to a centre.

But she has gone further. She has not only forced man into society by a diversity of wants which the reciprocal aid of each other can supply, but she has implanted in him a system of social affections, which, though not necessary to

his existence, are essential to his happiness. There is no period in life when this love for society ceases to act. It begins and ends with our being.

If we examine with attention into the composition and constitution of man, the diversity of his wants, and the diversity of talents in different men for reciprocally accommodating the wants of each other, his propensity to society, and consequently to preserve the advantages resulting from it, we shall easily discover, that a great part of what is called government is mere imposition.

Government is no farther necessary than to supply the few cases to which society and civilisation are not conveniently competent; and instances are not wanting to show, that everything which government can usefully add thereto, has been performed by the common consent of society, without government.

For upwards of two years from the commencement of the American War, and to a longer period in several of the American States, there were no established forms of government. The old governments had been abolished, and the country was too much occupied in defence to employ its attention in establishing new governments; yet during this interval order and harmony were preserved as inviolate as in any country in Europe.[1] There is a natural aptness in man, and more so in society, because it embraces a greater variety of abilities and resource, to accommodate itself to whatever situation it is in. The instant formal government is abolished, society begins to act: a general association takes place, and common interest produces common security.

So far is it from being true, as has been pretended, that the abolition of any formal government is the dissolution of society, that it acts by a contrary impulse, and brings the latter the closer together. All that part of its organisation which it had committed to its government, devolves again

[1] But a custom of "lynching" loyalists ("tories"), rebuked by Paine, arose, and some parts of America have never recovered from that cowardly kind of lawlessness.—*Editor.*

upon itself, and acts through its medium. When men, as well from natural instinct as from reciprocal benefits, have habituated themselves to social and civilised life, there is always enough of its principles in practice to carry them through any changes they may find necessary or convenient to make in their government. In short, man is so naturally a creature of society that it is almost impossible to put him out of it.

Formal government makes but a small part of civilised life; and when even the best that human wisdom can devise is established, it is a thing more in name and idea than in fact. It is to the great and fundamental principles of society and civilisation—to the common usage universally consented to, and mutually and reciprocally maintained—to the unceasing circulation of interest, which, passing through its million channels, invigorates the whole mass of civilised man—it is to these things, infinitely more than to anything which even the best instituted government can perform, that the safety and prosperity of the individual and of the whole depends.

The more perfect civilisation is, the less occasion has it for government, because the more does it regulate its own affairs, and govern itself; but so contrary is the practice of old governments to the reason of the case, that the expences of them increase in the proportion they ought to diminish. It is but few general laws that civilised life requires, and those of such common usefulness, that whether they are enforced by the forms of government or not, the effect will be nearly the same. If we consider what the principles are that first condense men into society, and what are the motives that regulate their mutual intercourse afterwards, we shall find, by the time we arrive at what is called government, that nearly the whole of the business is performed by the natural operation of the parts upon each other.

Man, with respect to all those matters, is more a creature of consistency than he is aware, or than governments would wish him to believe. All the great laws of society are laws of nature. Those of trade and commerce, whether

with respect to the intercourse of individuals or of nations, are laws of mutual and reciprocal interest. They are followed and obeyed, because it is the interest of the parties so to do, and not on account of any formal laws their governments may impose or interpose.

But how often is the natural propensity to society disturbed or destroyed by the operations of government! When the latter, instead of being ingrafted on the principles of the former, assumes to exist for itself, and acts by partialities of favour and oppression, it becomes the cause of the mischiefs it ought to prevent.

If we look back to the riots and tumults which at various times have happened in England, we shall find that they did not proceed from the want of a government, but that government was itself the generating cause; instead of consolidating society it divided it; it deprived it of its natural cohesion, and engendered discontents and disorders which otherwise would not have existed. In those associations which men promiscuously form for the purpose of trade, or of any concern in which government is totally out of the question, and in which they act merely on the principles of society, we see how naturally the various parties unite; and this shews, by comparison, that governments, so far from being always the cause or means of order, are often the destruction of it. The riots of 1780 had no other source than the remains of those prejudices which the government itself had encouraged. But with respect to England there are also other causes.

Excess and inequality of taxation, however disguised in the means, never fail to appear in their effects. As a great mass of the community are thrown thereby into poverty and discontent, they are constantly on the brink of commotion; and deprived, as they unfortunately are, of the means of information, are easily heated to outrage. Whatever the apparent cause of any riots may be, the real one is always want of happiness. It shews that something is wrong in the system of government that injures the felicity by which society is to be preserved.

But as fact is superior to reasoning, the instance of America presents itself to confirm these observations. If there is a country in the world where concord, according to common calculation, would be least expected, it is America. Made up as it is of people from different nations,* accustomed to different forms and habits of government, speaking different languages, and more different in their modes of worship, it would appear that the union of such a people was impracticable; but by the simple operation of constructing government on the principles of society and the rights of man, every difficulty retires, and all the parts are brought into cordial unison. There the poor are not oppressed, the rich are not privileged. Industry is not mortified by the splendid extravagance of a court rioting at its expence. Their taxes are few, because their government is just: and as there is nothing to render them wretched, there is nothing to engender riots and tumults.

A metaphysical man, like Mr. Burke, would have tortured his invention to discover how such a people could be governed. He would have supposed that some must be managed by fraud, others by force, and all by some contrivance; that genius must be hired to impose upon ignorance, and shew and parade to fascinate the vulgar. Lost in the abundance of his researches, he would have resolved and re-resolved, and finally overlooked the plain and easy road that lay directly before him.

One of the great advantages of the American Revolution has been, that it led to a discovery of the principles, and

* That part of America which is generally called New-England, including New-Hampshire, Massachusetts, Rhode-Island, and Connecticut, is peopled chiefly by English descendants. In the state of New-York about half are Dutch, the rest English, Scotch, and Irish. In New-Jersey, a mixture of English and Dutch, with some Scotch and Irish. In Pennsylvania about one third are English, another Germans, and the remainder Scotch and Irish, with some Swedes. The States to the southward have a greater proportion of English than the middle States, but in all of them there is a mixture; and besides those enumerated, there are a considerable number of French, and some few of all the European nations, lying on the coast. The most numerous religious denomination are the Presbyterians; but no one sect is established above another, and all men are equally citizens.—*Author*.

laid open the imposition, of governments. All the revolutions till then had been worked within the atmosphere of a court, and never on the great floor of a nation. The parties were always of the class of courtiers; and whatever was their rage for reformation, they carefully preserved the fraud of the profession.

In all cases they took care to represent government as a thing made up of mysteries, which only themselves understood; and they hid from the understanding of the nation the only thing that was beneficial to know, namely, *That government is nothing more than a national association acting on the principles of society.*

Having thus endeavored to show that the social and civilised state of man is capable of performing within itself almost everything necessary to its protection and government, it will be proper, on the other hand, to take a review of the present old governments, and examine whether their principles and practice are correspondent thereto.

CHAPTER II.

OF THE ORIGIN OF THE PRESENT OLD GOVERNMENTS.

IT is impossible that such governments as have hitherto existed in the world, could have commenced by any other means than a total violation of every principle sacred and moral. The obscurity in which the origin of all the present old governments is buried, implies the iniquity and disgrace with which they began. The origin of the present government of America and France will ever be remembered, because it is honourable to record it; but with respect to the rest, even Flattery has consigned them to the tomb of time, without an inscription.

It could have been no difficult thing in the early and solitary ages of the world, while the chief employment of men was that of attending flocks and herds, for a banditti of ruffians to overrun a country, and lay it under contributions. Their power being thus established, the chief of the band

contrived to lose the name of Robber in that of Monarch; and hence the origin of Monarchy and Kings.

The origin of the Government of England, so far as relates to what is called its line of monarchy, being one of the latest, is perhaps the best recorded. The hatred which the Norman invasion and tyranny begat, must have been deeply rooted in the nation, to have outlived the contrivance to obliterate it. Though not a courtier will talk of the curfeu-bell, not a village in England has forgotten it.

Those bands of robbers having parcelled out the world, and divided it into dominions, began, as is naturally the case, to quarrel with each other. What at first was obtained by violence was considered by others as lawful to be taken, and a second plunderer succeeded the first. They alternately invaded the dominions which each had assigned to himself, and the brutality with which they treated each other explains the original character of monarchy. It was ruffian torturing ruffian. The conqueror considered the conquered, not as his prisoner, but his property. He led him in triumph rattling in chains, and doomed him, at pleasure, to slavery or death. As time obliterated the history of their beginning, their successors assumed new appearances, to cut off the entail of their disgrace, but their principles and objects remained the same. What at first was plunder, assumed the softer name of revenue; and the power originally usurped, they affected to inherit.

From such beginning of governments, what could be expected but a continued system of war and extortion? It has established itself into a trade. The vice is not peculiar to one more than to another, but is the common principle of all. There does not exist within such governments sufficient stamina whereon to engraft reformation; and the shortest and most effectual remedy is to begin anew on the ground of the nation.

What scenes of horror, what perfection of iniquity, present themselves in contemplating the character and reviewing the history of such governments! If we would delineate human nature with a baseness of heart and hypocrisy of

countenance that reflexion would shudder at and humanity disown, it is kings, courts and cabinets that must sit for the portrait. Man, naturally as he is, with all his faults about him, is not up to the character.

Can we possibly suppose that if governments had originated in a right principle, and had not an interest in pursuing a wrong one, the world could have been in the wretched and quarrelsome condition we have seen it? What inducement has the farmer, while following the plough, to lay aside his peaceful pursuit, and go to war with the farmer of another country? or what inducement has the manufacturer? What is dominion to them, or to any class of men in a nation? Does it add an acre to any man's estate, or raise its value? Are not conquest and defeat each of the same price, and taxes the never-failing consequence?—Though this reasoning may be good to a nation, it is not so to a government. War is the Pharo-table of governments, and nations the dupes of the game.

If there is anything to wonder at in this miserable scene of governments more than might be expected, it is the progress which the peaceful arts of agriculture, manufacture and commerce have made beneath such a long accumulating load of discouragement and oppression. It serves to shew that instinct in animals does not act with stronger impulse than the principles of society and civilisation operate in man. Under all discouragements, he pursues his object, and yields to nothing but impossibilities.

CHAPTER III.

OF THE OLD AND NEW SYSTEMS OF GOVERNMENT.

NOTHING can appear more contradictory than the principles on which the old governments began, and the condition to which society, civilisation and commerce are capable of carrying mankind. Government, on the old system, is an assumption of power, for the aggrandisement of itself; on the new, a delegation of power for the common benefit of

society. The former supports itself by keeping up a system of war; the latter promotes a system of peace, as the true means of enriching a nation. The one encourages national prejudices; the other promotes universal society, as the means of universal commerce. The one measures its prosperity, by the quantity of revenue it extorts; the other proves its excellence, by the small quantity of taxes it requires.

Mr. Burke has talked of old and new whigs. If he can amuse himself with childish names and distinctions, I shall not interrupt his pleasure. It is not to him, but to the Abbé Sieyès, that I address this chapter. I am already engaged to the latter gentleman to discuss the subject of monarchical government; and as it naturally occurs in comparing the old and new systems, I make this the opportunity of presenting to him my observations.[1] I shall occasionally take Mr. Burke in my way.

Though it might be proved that the system of government now called the NEW, is the most ancient in principle of all that have existed, being founded on the original, inherent Rights of Man: yet, as tyranny and the sword have suspended the exercise of those rights for many centuries past, it serves better the purpose of distinction to call it the *new*, than to claim the right of calling it the old.

The first general distinction between those two systems, is, that the one now called the old is *hereditary*, either in whole or in part; and the new is entirely *representative*. It rejects all hereditary government:

First, As being an imposition on mankind.

Secondly, As inadequate to the purposes for which government is necessary.

With respect to the first of these heads—It cannot be

[1] In *Le Républicain*, Paris, July, 1791, Paine wrote a letter in which he declared monarchy and hereditary succession incompatible with the Declaration of Rights in the new French Constitution. The Abbé Sieyès (*Moniteur*, July 8,) announced his intention of maintaining the principle of monarchical executive against the new party. Paine accepted the challenge, but Sieyès wrote that he had "no leisure to enter into controversy with republican *polycrats*." See my "Life of Paine," i. p. 312.—*Editor*.

proved by what right hereditary government could begin; neither does there exist within the compass of mortal power a right to establish it. Man has no authority over posterity in matters of personal right; and, therefore, no man, or body of men, had, or can have, a right to set up hereditary government. Were even ourselves to come again into existence, instead of being succeeded by posterity, we have not now the right of taking from ourselves the rights which would then be ours. On what ground, then, do we pretend to take them from others?

All hereditary government is in its nature tyranny. An heritable crown, or an heritable throne, or by what other fanciful name such things may be called, have no other significant explanation than that mankind are heritable property. To inherit a government, is to inherit the people, as if they were flocks and herds.

With respect to the second head, that of being inadequate to the purposes for which government is necessary, we have only to consider what government essentially is, and compare it with the circumstances to which hereditary succession is subject.

Government ought to be a thing always in full maturity. It ought to be so constructed as to be superior to all the accidents to which individual man is subject; and, therefore, hereditary succession, by being *subject to them all*, is the most irregular and imperfect of all the systems of government.

We have heard the *Rights of Man* called a *levelling* system; but the only system to which the word *levelling* is truly applicable, is the hereditary monarchical system. It is a system of *mental levelling*. It indiscriminately admits every species of character to the same authority. Vice and virtue, ignorance and wisdom, in short, every quality, good or bad, is put on the same level. Kings succeed each other, not as rationals, but as animals. It signifies not what their mental or moral characters are. Can we then be surprised at the abject state of the human mind in monarchical countries, when the government itself is formed on such an abject

levelling system?—It has no fixed character. To-day it is one thing; to-morrow it is something else. It changes with the temper of every succeeding individual, and is subject to all the varieties of each. It is government through the medium of passions and accidents. It appears under all the various characters of childhood, decrepitude, dotage, a thing at nurse, in leading-strings, or in crutches. It reverses the wholesome order of nature. It occasionally puts children over men, and the conceits of non-age over wisdom and experience. In short, we cannot conceive a more ridiculous figure of government, than hereditary succession, in all its cases, presents.

Could it be made a decree in nature, or an edict registered in heaven, and man could know it, that virtue and wisdom should invariably appertain to hereditary succession, the objection to it would be removed; but when we see that nature acts as if she disowned and sported with the hereditary system; that the mental character of successors, in all countries, is below the average of human understanding; that one is a tyrant, another an idiot, a third insane, and some all three together, it is impossible to attach confidence to it, when reason in man has power to act.

It is not to the Abbé Sieyès that I need apply this reasoning; he has already saved me that trouble by giving his own opinion upon the case. "If it be asked," says he, "what is my opinion with respect to hereditary right, I answer without hesitation, That in good theory, an hereditary transmission of any power of office, can never accord with the laws of a true representation. Hereditaryship is, in this sense, as much an attaint upon principle, as an outrage upon society. But let us," continues he, "refer to the history of all elective monarchies and principalities: is there one in which the elective mode is not worse than the hereditary succession?"

As to debating on which is the worst of the two, it is admitting both to be bad; and herein we are agreed. The preference which the Abbé has given, is a condemnation of the thing that he prefers. Such a mode of reasoning on such a subject is inadmissible, because it finally amounts to

an accusation upon Providence, as if she had left to man no other choice with respect to government than between two evils, the best of which he admits to be "*an attaint upon principle, and an outrage upon society.*"

Passing over, for the present, all the evils and mischiefs which monarchy has occasioned in the world, nothing can more effectually prove its uselessness in a state of *civil government*, than making it hereditary. Would we make any office hereditary that required wisdom and abilities to fill it? And where wisdom and abilities are not necessary, such an office, whatever it may be, is superfluous or insignificant.

Hereditary succession is a burlesque upon monarchy. It puts it in the most ridiculous light, by presenting it as an office which any child or ideot may fill. It requires some talents to be a common mechanic; but to be a king requires only the animal figure of man—a sort of breathing automaton. This sort of superstition may last a few years more, but it cannot long resist the awakened reason and interest of man.

As to Mr. Burke, he is a stickler for monarchy, not altogether as a pensioner, if he is one, which I believe, but as a political man. He has taken up a contemptible opinion of mankind, who, in their turn, are taking up the same of him. He considers them as a herd of beings that must be governed by fraud, effigy, and show; and an idol would be as good a figure of monarchy with him, as a man. I will, however, do him the justice to say that, with respect to America, he has been very complimentary. He always contended, at least in my hearing, that the people of America were more enlightened than those of England, or of any country in Europe; and that therefore the imposition of shew was not necessary in their governments.

Though the comparison between hereditary and elective monarchy, which the Abbé has made, is unnecessary to the case, because the representative system rejects both: yet, were I to make the comparison, I should decide contrary to what he has done.

The civil wars which have originated from contested hereditary claims, are more numerous, and have been more dreadful, and of longer continuance, than those which have been occasioned by election. All the civil wars in France arose from the hereditary system; they were either produced by hereditary claims, or by the imperfection of the hereditary form, which admits of regencies or monarchy at nurse. With respect to England, its history is full of the same misfortunes. The contests for succession between the houses of York and Lancaster, lasted a whole century; and others of a similar nature, have renewed themselves since that period. Those of 1715 and 1745, were of the same kind. The succession war for the crown of Spain, embroiled almost half Europe. The disturbances in Holland are generated from the hereditaryship of the Stadtholder. A government calling itself free, with an hereditary office, is like a thorn in the flesh, that produces a fermentation which endeavours to discharge it.

But I might go further, and place also foreign wars, of whatever kind, to the same cause. It is by adding the evil of hereditary succession to that of monarchy, that a permanent family interest is created, whose constant objects are dominion and revenue. Poland, though an elective monarchy, has had fewer wars than those which are hereditary; and it is the only government that has made a voluntary essay, though but a small one, to reform the condition of the country.

Having thus glanced at a few of the defects of the old, or hereditary systems of government, let us compare it with the new, or representative system.

The representative system takes society and civilisation for its basis; nature, reason, and experience, for its guide.

Experience, in all ages, and in all countries, has demonstrated that it is impossible to controul Nature in her distribution of mental powers. She gives them as she pleases. Whatever is the rule by which she, apparently to us, scatters them among mankind, that rule remains a secret to man. It would be as ridiculous to attempt to fix the hereditaryship

of human beauty, as of wisdom. Whatever wisdom constituently is, it is like a seedless plant; it may be reared when it appears, but it cannot be voluntarily produced. There is always a sufficiency somewhere in the general mass of society for all purposes; but with respect to the parts of society, it is continually changing its place. It rises in one to-day, in another to-morrow, and has most probably visited in rotation every family of the earth, and again withdrawn.

As this is in the order of nature, the order of government must necessarily follow it, or government will, as we see it does, degenerate into ignorance. The hereditary system, therefore, is as repugnant to human wisdom as to human rights; and is as absurd as it is unjust.

As the republic of letters brings forward the best literary productions, by giving to genius a fair and universal chance; so the representative system of government is calculated to produce the wisest laws, by collecting wisdom from where it can be found. I smile to myself when I contemplate the ridiculous insignificance into which literature and all the sciences would sink, were they made hereditary; and I carry the same idea into governments. An hereditary governor is as inconsistent as an hereditary author. I know not whether Homer or Euclid had sons; but I will venture an opinion that if they had, and had left their works unfinished, those sons could not have completed them.

Do we need a stronger evidence of the absurdity of hereditary government than is seen in the descendants of those men, in any line of life, who once were famous? Is there scarcely an instance in which there is not a total reverse of the character? It appears as if the tide of mental faculties flowed as far as it could in certain channels, and then forsook its course, and arose in others. How irrational then is the hereditary system, which establishes channels of power, in company with which wisdom refuses to flow! By continuing this absurdity, man is perpetually in contradiction with himself; he accepts, for a king, or a chief magistrate, or a legislator, a person whom he would not elect for a constable.

It appears to general observation, that revolutions create genius and talents; but those events do no more than bring them forward. There is existing in man, a mass of sense lying in a dormant state, and which, unless something excites it to action, will descend with him, in that condition, to the grave. As it is to the advantage of society that the whole of its faculties should be employed, the construction of government ought to be such as to bring forward, by a quiet and regular operation, all that extent of capacity which never fails to appear in revolutions.

This cannot take place in the insipid state of hereditary government, not only because it prevents, but because it operates to benumb. When the mind of a nation is bowed down by any political superstition in its government, such as hereditary succession is, it loses a considerable portion of its powers on all other subjects and objects. Hereditary succession requires the same obedience to ignorance, as to wisdom; and when once the mind can bring itself to pay this indiscriminate reverence, it descends below the stature of mental manhood. It is fit to be great only in little things. It acts a treachery upon itself, and suffocates the sensations that urge the detection.

Though the ancient governments present to us a miserable picture of the condition of man, there is one which above all others exempts itself from the general description. I mean the democracy of the Athenians. We see more to admire, and less to condemn, in that great, extraordinary people, than in anything which history affords.

Mr. Burke is so little acquainted with constituent principles of government, that he confounds democracy and representation together. Representation was a thing unknown in the ancient democracies. In those the mass of the people met and enacted laws (grammatically speaking) in the first person. Simple democracy was no other than the common hall of the ancients. It signifies the *form*, as well as the public principle of the government. As those democracies increased in population, and the territory extended, the simple democratical form became unwieldy and impracticable; and as the system of representation was not known,

the consequence was, they either degenerated convulsively into monarchies, or became absorbed into such as then existed. Had the system of representation been then understood, as it now is, there is no reason to believe that those forms of government, now called monarchical or aristocratical, would ever have taken place. It was the want of some method to consolidate the parts of society, after it became too populous, and too extensive for the simple democratical form, and also the lax and solitary condition of shepherds and herdsmen in other parts of the world, that afforded opportunities to those unnatural modes of government to begin.

As it is necessary to clear away the rubbish of errors, into which the subject of government has been thrown, I will proceed to remark on some others.

It has always been the political craft of courtiers and court-governments, to abuse something which they called republicanism; but what republicanism was, or is, they never attempt to explain. Let us examine a little into this case.

The only forms of government are, the democratical, the aristocratical, the monarchical, and what is now called the representative.

What is called a *republic* is not any *particular form* of government. It is wholly characteristical of the purport, matter or object for which government ought to be instituted, and on which it is to be employed, RES-PUBLICA, the public affairs, or the public good; or, literally translated, the *public thing*. It is a word of a good original, referring to what ought to be the character and business of government; and in this sense it is naturally opposed to the word *monarchy*, which has a base original signification. It means arbitrary power in an individual person; in the exercise of which, *himself*, and not the *res-publica*, is the object.

Every government that does not act on the principle of a *Republic*, or in other words, that does not make the *res-publica* its whole and sole object, is not a good government. Republican government is no other than government established and conducted for the interest of the public, as well individually as collectively. It is not necessarily connected with any particular form, but it most naturally associates

with the representative form, as being best calculated to secure the end for which a nation is at the expense of supporting it.

Various forms of government have affected to style themselves a republic. Poland calls itself a republic, which is an hereditary aristocracy, with what is called an elective monarchy. Holland calls itself a republic, which is chiefly aristocratical, with an hereditary stadtholdership. But the government of America, which is wholly on the system of representation, is the only real Republic, in character and in practice, that now exists. Its government has no other object than the public business of the nation, and therefore it is properly a republic; and the Americans have taken care that THIS, and no other, shall always be the object of their government, by their rejecting everything hereditary, and establishing government on the system of representation only. Those who have said that a republic is not a *form* of government calculated for countries of great extent, mistook, in the first place, the *business* of a government, for a *form* of government; for the *res-publica* equally appertains to every extent of territory and population. And, in the second place, if they meant anything with respect to *form*, it was the simple democratical form, such as was the mode of government in the ancient democracies, in which there was no representation. The case, therefore, is not, that a republic cannot be extensive, but that it cannot be extensive on the simple democratical form; and the question naturally presents itself, *What is the best form of government for conducting the* RES-PUBLICA, *or the* PUBLIC BUSINESS *of a nation, after it becomes too extensive and populous for the simple democratical form?* It cannot be monarchy, because monarchy is subject to an objection of the same amount to which the simple democratical form was subject.

It is possible that an individual may lay down a system of principles, on which government shall be constitutionally established to any extent of territory. This is no more than an operation of the mind, acting by its own powers. But the practice upon those principles, as applying to the various and numerous circumstances of a nation, its agriculture,

manufacture, trade, commerce, etc., etc., requires a knowledge of a different kind, and which can be had only from the various parts of society. It is an assemblage of practical knowledge, which no individual can possess; and therefore the monarchical form is as much limited, in useful practice, from the incompetency of knowledge, as was the democratical form, from the multiplicity of population. The one degenerates, by extension, into confusion; the other, into ignorance and incapacity, of which all the great monarchies are an evidence. The monarchical form, therefore, could not be a substitute for the democratical, because it has equal inconveniences.

Much less could it when made hereditary. This is the most effectual of all forms to preclude knowledge. Neither could the high democratical mind have voluntarily yielded itself to be governed by children and ideots, and all the motley insignificance of character, which attends such a mere animal system, the disgrace and the reproach of reason and of man.

As to the aristocratical form, it has the same vices and defects with the monarchical, except that the chance of abilities is better from the proportion of numbers, but there is still no security for the right use and application of them.*

Referring them to the original simple democracy, it affords the true data from which government on a large scale can begin. It is incapable of extension, not from its principle, but from the inconvenience of its form; and monarchy and aristocracy, from their incapacity. Retaining, then, democracy as the ground, and rejecting the corrupt systems of monarchy and aristocracy, the representative system naturally presents itself; remedying at once the defects of the simple democracy as to form, and the incapacity of the other two with respect to knowledge.

Simple democracy was society governing itself without the aid of secondary means. By ingrafting representation

* For a character of aristocracy, the reader is referred to *Rights of Man*, Part I., p. 319.—*Author.*

upon democracy, we arrive at a system of government capable of embracing and confederating all the various interests and every extent of territory and population; and that also with advantages as much superior to hereditary government, as the republic of letters is to hereditary literature.

It is on this system that the American government is founded. It is representation ingrafted upon democracy. It has fixed the form by a scale parallel in all cases to the extent of the principle. What Athens was in miniature America will be in magnitude. The one was the wonder of the ancient world; the other is becoming the admiration, the model of the present. It is the easiest of all the forms of government to be understood and the most eligible in practice; and excludes at once the ignorance and insecurity of the hereditary mode, and the inconvenience of the simple democracy.

It is impossible to conceive a system of government capable of acting over such an extent of territory, and such a circle of interests, as is immediately produced by the operation of representation. France, great and populous as it is, is but a spot in the capaciousness of the system. It is preferable to simple democracy even in small territories. Athens, by representation, would have outrivalled her own democracy.

That which is called government, or rather that which we ought to conceive government to be, is no more than some common center in which all the parts of society unite. This cannot be accomplished by any method so conducive to the various interests of the community, as by the representative system. It concentrates the knowledge necessary to the interest of the parts, and of the whole. It places government in a state of constant maturity. It is, as has already been observed, never young, never old. It is subject neither to nonage, nor dotage. It is never in the cradle, nor on crutches. It admits not of a separation between knowledge and power, and is superior, as government always ought to be, to all the accidents of individual man, and is therefore superior to what is called monarchy.

A nation is not a body, the figure of which is to be represented by the human body; but is like a body contained within a circle, having a common center, in which every radius meets; and that center is formed by representation. To connect representation with what is called monarchy, is eccentric government. Representation is of itself the delegated monarchy of a nation, and cannot debase itself by dividing it with another.

Mr. Burke has two or three times, in his parliamentary speeches, and in his publications, made use of a jingle of words that convey no ideas. Speaking of government, he says, "It is better to have monarchy for its basis, and republicanism for its corrective, than republicanism for its basis, and monarchy for its corrective."—If he means that it is better to correct folly with wisdom, than wisdom with folly, I will no otherwise contend with him, than that it would be much better to reject the folly entirely.

But what is this thing which Mr. Burke calls monarchy? Will he explain it? All men can understand what representation is; and that it must necessarily include a variety of knowledge and talents. But what security is there for the same qualities on the part of monarchy? or, when the monarchy is a child, where then is the wisdom? What does it know about government? Who then is the monarch, or where is the monarchy? If it is to be performed by regency, it proves to be a farce. A regency is a mock species of republic, and the whole of monarchy deserves no better description. It is a thing as various as imagination can paint. It has none of the stable character that government ought to possess. Every succession is a revolution, and every regency a counter-revolution. The whole of it is a scene of perpetual court cabal and intrigue, of which Mr. Burke is himself an instance. To render monarchy consistent with government, the next in succession should not be born a child, but a man at once, and that man a Solomon. It is ridiculous that nations are to wait and government be interrupted till boys grow to be men.

Whether I have too little sense to see, or too much to be

imposed upon; whether I have too much or too little pride, or of anything else, I leave out of the question; but certain it is, that what is called monarchy, always appears to me a silly, contemptible thing. I compare it to something kept behind a curtain, about which there is a great deal of bustle and fuss, and a wonderful air of seeming solemnity; but when, by any accident, the curtain happens to be open—and the company see what it is, they burst into laughter.

In the representative system of government, nothing of this can happen. Like the nation itself, it possesses a perpetual stamina, as well of body as of mind, and presents itself on the open theatre of the world in a fair and manly manner. Whatever are its excellences or defects, they are visible to all. It exists not by fraud and mystery; it deals not in cant and sophistry; but inspires a language that, passing from heart to heart, is felt and understood.

We must shut our eyes against reason, we must basely degrade our understanding, not to see the folly of what is called monarchy. Nature is orderly in all her works; but this is a mode of government that counteracts nature. It turns the progress of the human faculties upside down. It subjects age to be governed by children, and wisdom by folly.

On the contrary, the representative system is always parallel with the order and immutable laws of nature, and meets the reason of man in every part. For example:

In the American Federal Government, more power is delegated to the President of the United States than to any other individual member of Congress.[1] He cannot, therefore, be elected to this office under the age of thirty-five years. By this time the judgment of man becomes more matured, and he has lived long enough to be acquainted with men and things, and the country with him.—But on the monarchial plan (exclusive of the numerous chances there are against every man born into the world, of drawing a prize in the lottery of human faculties), the next in succession, whatever he may be, is put at the head of a

[1] It was not uncommon in England, when the United States government began, to speak of the President as "the President of Congress."—*Editor.*

nation, and of a government, at the age of eighteen years. Does this appear like an action of wisdom? Is it consistent with the proper dignity and the manly character of a nation? Where is the propriety of calling such a lad the father of the people?—In all other cases, a person is a minor until the age of twenty-one years. Before this period, he is not trusted with the management of an acre of land, or with the heritable property of a flock of sheep, or an herd of swine; but, wonderful to tell! he may, at the age of eighteen years, be trusted with a nation.

That monarchy is all a bubble, a mere court artifice to procure money, is evident (at least to me,) in every character in which it can be viewed. It would be impossible, on the rational system of representative government, to make out a bill of expences to such an enormous amount as this deception admits. Government is not of itself a very chargeable institution. The whole expence of the federal government of America, founded, as I have already said, on the system of representation, and extending over a country nearly ten times as large as England, is but six hundred thousand dollars, or one hundred and thirty-five thousand pounds sterling.

I presume, that no man in his sober senses, will compare the character of any of the kings of Europe with that of General Washington. Yet, in France, and also in England, the expence of the civil list only, for the support of one man, is eight times greater than the whole expence of the federal government in America. To assign a reason for this, appears almost impossible. The generality of people in America, especially the poor, are more able to pay taxes, than the generality of people either in France or England.

But the case is, that the representative system diffuses such a body of knowledge throughout a nation, on the subject of government, as to explode ignorance and preclude imposition. The craft of courts cannot be acted on that ground. There is no place for mystery; nowhere for it to begin. Those who are not in the representation, know as much of the nature of business as those who are. An affec-

tation of mysterious importance would there be scouted. Nations can have no secrets; and the secrets of courts, like those of individuals, are always their defects.

In the representative system, the reason for everything must publicly appear. Every man is a proprietor in government, and considers it a necessary part of his business to understand. It concerns his interest, because it affects his property. He examines the cost, and compares it with the advantages; and above all, he does not adopt the slavish custom of following what in other governments are called LEADERS.

It can only be by blinding the understanding of man, and making him believe that government is some wonderful mysterious thing, that excessive revenues are obtained. Monarchy is well calculated to ensure this end. It is the popery of government; a thing kept up to amuse the ignorant, and quiet them into taxes.

The government of a free country, properly speaking, is not in the persons, but in the laws. The enacting of those requires no great expence; and when they are administered, the whole of civil government is performed—the rest is all court contrivance.

CHAPTER IV.

OF CONSTITUTIONS.

THAT men mean distinct and separate things when they speak of constitutions and of governments, is evident; or why are those terms distinctly and separately used? A constitution is not the act of a government, but of a people constituting a government; and government without a constitution, is power without a right.

All power exercised over a nation, must have some beginning. It must either be delegated or assumed. There are no other sources. All delegated power is trust, and all assumed power is usurpation. Time does not alter the nature and quality of either.

In viewing this subject, the case and circumstances of

America present themselves as in the beginning of a world; and our enquiry into the origin of government is shortened, by referring to the facts that have arisen in our own day. We have no occasion to roam for information into the obscure field of antiquity, nor hazard ourselves upon conjecture. We are brought at once to the point of seeing government begin, as if we had lived in the beginning of time. The real volume, not of history, but of facts, is directly before us, unmutilated by contrivance, or the errors of tradition.

I will here concisely state the commencement of the American constitutions; by which the difference between constitutions and governments will sufficiently appear.

It may not be improper to remind the reader that the United States of America consist of thirteen separate states, each of which established a government for itself, after the declaration of independence, done the 4th of July, 1776. Each state acted independently of the rest, in forming its governments; but the same general principle pervades the whole. When the several state governments were formed, they proceeded to form the federal government, that acts over the whole in all matters which concern the interest of the whole, or which relate to the intercourse of the several states with each other, or with foreign nations. I will begin with giving an instance from one of the state governments (that of Pennsylvania) and then proceed to the federal government.

The State of Pennsylvania, though nearly of the same extent of territory as England, was then divided into only twelve counties. Each of those counties had elected a committee at the commencement of the dispute with the English government; and as the city of Philadelphia, which also had its committee, was the most central for intelligence, it became the center of communication to the several county committees. When it became necessary to proceed to the formation of a government, the committee of Philadelphia proposed a conference of all the committees, to be held in that city, and which met the latter end of July, 1776.

Though these committees had been duly elected by the people, they were not elected expressly for the purpose, nor invested with the authority of forming a constitution; and as they could not, consistently with the American idea of rights, assume such a power, they could only confer upon the matter, and put it into a train of operation. The conferees, therefore, did no more than state the case, and recommend to the several counties to elect six representatives for each county, to meet in convention at Philadelphia, with powers to form a constitution, and propose it for public consideration.

This convention, of which Benjamin Franklin was president, having met and deliberated, and agreed upon a constitution, they next ordered it to be published, not as a thing established, but for the consideration of the whole people, their approbation or rejection, and then adjourned to a stated time. When the time of adjournment was expired, the convention re-assembled; and as the general opinion of the people in approbation of it was then known, the constitution was signed, sealed, and proclaimed on the *authority of the people* and the original instrument deposited as a public record. The convention then appointed a day for the general election of the representatives who were to compose the government, and the time it should commence; and having done this they dissolved, and returned to their several homes and occupations.

In this constitution were laid down, first, a declaration of rights; then followed the form which the government should have, and the powers it should possess—the authority of the courts of judicature, and of juries—the manner in which elections should be conducted, and the proportion of representatives to the number of electors—the time which each succeeding assembly should continue, which was one year—the mode of levying, and of accounting for the expenditure, of public money—of appointing public officers, etc., etc., etc.

No article of this constitution could be altered or infringed at the discretion of the government that was to ensue. It was to that government a law. But as it would have been

unwise to preclude the benefit of experience, and in order also to prevent the accumulation of errors, if any should be found, and to preserve an unison of government with the circumstances of the State at all times, the constitution provided, that, at the expiration of every seven years, a convention should be elected, for the express purpose of revising the constitution, and making alterations, additions, or abolitions therein, if any such should be found necessary.

Here we see a regular process—a government issuing out of a constitution, formed by the people in their original character; and that constitution serving, not only as an authority, but as an law of controul to the government. It was the political bible of the state. Scarcely a family was without it. Every member of the government had a copy; and nothing was more common, when any debate arose on the principle of a bill, or on the extent of any species of authority, than for the members to take the printed constitution out of their pocket, and read the chapter with which such matter in debate was connected.

Having thus given an instance from one of the states, I will shew the proceedings by which the federal constitution of the United States arose and was formed.

Congress, at its two first meetings, in September 1774, and May 1775, was nothing more than a deputation from the legislatures of the several provinces, afterwards states; and had no other authority than what arose from common consent, and the necessity of its acting as a public body. In everything which related to the internal affairs of America, congress went no further than to issue recommendations to the several provincial assemblies, who at discretion adopted them or not. Nothing on the part of congress was compulsive; yet, in this situation, it was more faithfully and affectionately obeyed than was any government in Europe. This instance, like that of the national assembly in France, sufficiently shows, that the strength of government does not consist in any thing WITHIN itself, but in the attachment of a nation, and the interest which a people feel in supporting it. When this is lost, government is but a child in power;

and though, like the old government in France, it may harrass individuals for a while, it but facilitates its own fall.

After the declaration of independence, it became consistent with the principle on which representative government is founded, that the authority of congress should be defined and established. Whether that authority should be more or less than congress then discretionarily exercised was not the question. It was merely the rectitude of the measure.

For this purpose, the act, called the act of confederation, (which was a sort of imperfect federal constitution), was proposed, and, after long deliberation, was concluded in the year 1781. It was not the act of congress, because it is repugnant to the principles of representative government that a body should give power to itself. Congress first informed the several states, of the powers which it conceived were necessary to be invested in the union, to enable it to perform the duties and services required from it; and the states severally agreed with each other, and concentrated in congress those powers.

It may not be improper to observe, that in both those instances, (the one of Pennsylvania, and the other of the United States), there is no such thing as the idea of a compact between the people on one side, and the government on the other. The compact was that of the people with each other, to produce and constitute a government. To suppose that any government can be a party in a compact with the whole people, is to suppose it to have existence before it can have a right to exist. The only instance in which a compact can take place between the people and those who exercise the government, is, that the people shall pay them, while they chuse to employ them.

Government is not a trade which any man, or any body of men, has a right to set up and exercise for his own emolument, but is altogether a trust, in right of those by whom that trust is delegated, and by whom it is always resumeable. It has of itself no rights; they are altogether duties.

Having thus given two instances of the original formation

of a constitution, I will shew the manner in which both have been changed since their first establishment.

The powers vested in the governments of the several states, by the state constitutions, were found, upon experience, to be too great; and those vested in the federal government, by the act of confederation, too little. The defect was not in the principle, but in the distribution of power.

Numerous publications, in pamphlets and in the newspapers, appeared, on the propriety and necessity of new modelling the federal government. After some time of public discussion, carried on through the channel of the press, and in conversations, the state of Virginia, experiencing some inconvenience with respect to commerce, proposed holding a continental conference; in consequence of which, a deputation from five or six state assemblies met at Annapolis, in Maryland, in 1786. This meeting, not conceiving itself sufficiently authorised to go into the business of a reform, did no more than state their general opinions of the propriety of the measure, and recommend that a convention of all the states should be held the year following.

The convention met at Philadelphia in May, 1787, of which General Washington was elected president. He was not at that time connected with any of the state governments, or with congress. He delivered up his commission when the war ended, and since then had lived a private citizen.

The Convention went deeply into all the subjects; and having, after a variety of debate and investigation, agreed among themselves upon the several parts of a federal constitution, the next question was, the manner of giving it authority and practice.

For this purpose they did not, like a cabal of courtiers, send for a Dutch Stadtholder, or a German Elector; but they referred the whole matter to the sense and interest of the country.

They first directed that the proposed constitution should be published. Secondly, that each state should elect a conven-

tion, expressly for the purpose of taking it into consideration, and of ratifying or rejecting it; and that as soon as the approbation and ratification of any nine states should be given, that those states shall proceed to the election of their proportion of members to the new federal government; and that the operation of it should then begin, and the former federal government cease.

The several States proceeded accordingly to elect their conventions. Some of those conventions ratified the constitution by very large majorities, and two or three unanimously. In others there were much debate and division of opinion. In the Massachussetts convention, which met at Boston, the majority was not above nineteen or twenty, in about three hundred members; but such is the nature of representative government, that it quietly decides all matters by majority. After the debate in the Massachussetts convention was closed, and the vote taken, the objecting members rose and declared, "*That though they had argued and voted against it, because certain parts appeared to them in a different light to what they appeared to other members; yet, as the vote had decided in favour of the constitution as proposed, they should give it the same practical support as if they had voted for it.*"

As soon as nine states had concurred (and the rest followed in the order their conventions were elected), the old fabric of the federal government was taken down, and the new one erected, of which General Washington is president. —In this place I cannot help remarking, that the character and services of this gentleman are sufficient to put all those men called kings to shame. While they are receiving from the sweat and labours of mankind, a prodigality of pay, to which neither their abilities nor their services can entitle them, he is rendering every service in his power, and refusing every pecuniary reward. He accepted no pay as commander-in-chief; he accepts none as president of the United States.[1]

[1] It had not been made known to the world that Washington had receded from this determination, announced at his inauguration. He received payment like other Presidents.—*Editor*.

After the new federal constitution was established, the state of Pennsylvania, conceiving that some parts of its own constitution required to be altered, elected a convention for that purpose. The proposed alterations were published, and the people concurring therein, they were established.

In forming those constitutions, or in altering them, little or no inconvenience took place. The ordinary course of things was not interrupted, and the advantages have been much. It is always the interest of a far greater number of people in a nation to have things right, than to let them remain wrong; and when public matters are open to debate, and the public judgment free, it will not decide wrong, unless it decides too hastily.

In the two instances of changing the constitutions, the governments then in being were not actors either way.[1] Government has no right to make itself a party in any debate respecting the principles or modes of forming, or of changing, constitutions. It is not for the benefit of those who exercise the powers of government that constitutions, and the governments issuing from them, are established. In all those matters the right of judging and acting are in those who pay, and not in those who receive.

A constitution is the property of a nation, and not of those who exercise the government. All the constitutions of America are declared to be established on the authority of the people. In France, the word nation is used instead of the people; but in both cases, a constitution is a thing antecedent to the government, and always distinct therefrom.

In England it is not difficult to perceive that everything has a constitution, except the nation. Every society and association that is established, first agreed upon a number of original articles, digested into form, which are its constitution. It then appointed its officers, whose powers and authorities are described in that constitution, and the gov-

[1] Not quite correct as to the United States. The old Congress invited the States to send delegates to the Constitutional Convention, appointed the day of meeting, and submitted their work to the several States for ratification.—*Editor.*

ernment of that society then commenced. Those officers, by whatever name they are called, have no authority to add to, alter, or abridge the original articles. It is only to the constituting power that this right belongs.

From the want of understanding the difference between a constitution and a government, Dr. Johnson, and all writers of his description, have always bewildered themselves. They could not but perceive, that there must necessarily be a *controuling* power existing somewhere, and they placed this power in the discretion of the persons exercising the government, instead of placing it in a constitution formed by the nation. When it is in a constitution, it has the nation for its support, and the natural and the political controuling powers are together. The laws which are enacted by governments, controul men only as individuals, but the nation, through its constitution, controuls the whole government, and has a natural ability to do so. The final controuling power, therefore, and the original constituting power, are one and the same power.

Dr. Johnson could not have advanced such a position in any country where there was a constitution; and he is himself an evidence that no such thing as a constitution exists in England. But it may be put as a question, not improper to be investigated, that if a constitution does not exist, how came the idea of its existence so generally established?

In order to decide this question, it is necessary to consider a constitution in both its cases:—First, as creating a government and giving it powers. Secondly, as regulating and restraining the powers so given.

If we begin with William of Normandy, we find that the government of England was originally a tyranny, founded on an invasion and conquest of the country. This being admitted, it will then appear, that the exertion of the nation, at different periods, to abate that tyranny, and render it less intolerable, has been credited for a constitution.

Magna Charta, as it was called (it is now like an almanack of the same date), was no more than compelling the govern-

ment to renounce a part of its assumptions. It did not create and give powers to government in a manner a constitution does; but was, as far as it went, of the nature of a re-conquest, and not a constitution; for could the nation have totally expelled the usurpation, as France has done its despotism, it would then have had a constitution to form.

The history of the Edwards and the Henries, and up to the commencement of the Stuarts, exhibits as many instances of tyranny as could be acted within the limits to which the nation had restricted it. The Stuarts endeavoured to pass those limits, and their fate is well known. In all those instances we see nothing of a constitution, but only of restrictions on assumed power.

After this, another William, descended from the same stock, and claiming from the same origin, gained possession; and of the two evils, *James* and *William*, the nation preferred what it thought the least; since, from circumstances, it must take one. The act, called the Bill of Rights, comes here into view. What is it, but a bargain, which the parts of the government made with each other to divide powers, profits, and privileges? You shall have so much, and I will have the rest; and with respect to the nation, it said, for *your share*, YOU *shall have the right of petitioning*. This being the case, the bill of rights is more properly a bill of wrongs, and of insult. As to what is called the convention parliament, it was a thing that made itself, and then made the authority by which it acted. A few persons got together, and called themselves by that name. Several of them had never been elected, and none of them for the purpose.

From the time of William a species of government arose, issuing out of this coalition bill of rights; and more so, since the corruption introduced at the Hanover succession by the agency of Walpole; that can be described by no other name than a despotic legislation. Though the parts may embarrass each other, the whole has no bounds; and the only right it acknowledges out of itself, is the right of petitioning. Where then is the constitution either that gives or restrains power?

It is not because a part of the government is elective, that makes it less a despotism, if the persons so elected possess afterwards, as a parliament, unlimited powers. Election, in this case, becomes separated from representation, and the candidates are candidates for despotism.[1]

I cannot believe that any nation, reasoning on its own rights, would have thought of calling these things *a constitution*, if the cry of constitution had not been set up by the government. It has got into circulation like the words *bore* and *quoz* [*quiz*], by being chalked up in the speeches of parliament, as those words were on window shutters and door-posts; but whatever the constitution may be in other respects, it has undoubtedly been *the most productive machine of taxation that was ever invented.* The taxes in France, under the new constitution, are not quite thirteen shillings per head,* and the taxes in England, under what is called its present constitution, are forty-eight shillings and six-pence per head—men, women, and children—amounting to nearly seventeen millions sterling, besides the expence of collecting, which is upwards of a million more.

[1] This and the three preceding paragraphs were omitted by Paine in his cheap edition (Symonds, 1792) with the following statement: "Here follow, on page 52 of the original edition, four paragraphs. As those paragraphs are put into the information, and will publicly appear with the pleadings thereon, when the prosecution shall be brought to an issue, they are not verbally recited here, except the first of them, which is added in the annexed note, for the purpose of shewing the spirit of the prosecuting party, and the sort of matter which has been selected from the work for prosecution." After the note he adds: "Query. Does the prosecuting party mean to deny that instances of tyranny were acted by the Edwards and Henries? Does he mean to deny that the Stuarts endeavoured to pass the limits which the nation had prescribed? Does he mean to prove it libellous in any person to say that they did?"—*Editor.*

* The whole amount of the assessed taxes of France, for the present year, is three hundred millions of francs, which is twelve millions and a half sterling; and the incidental taxes are estimated at three millions, making in the whole fifteen millions and a half; which among twenty-four millions of people, is not quite thirteen shillings per head. France has lessened her taxes since the revolution, nearly nine millions sterling annually. Before the revolution, the city of Paris paid a duty of upwards of thirty per cent. on all articles brought into the city. This tax was collected at the city gates. It was taken off on the first of last May, and the gates taken down.—*Author.*

In a country like England, where the whole of the civil Government is executed by the people of every town and county, by means of parish officers, magistrates, quarterly sessions, juries, and assize; without any trouble to what is called the government or any other expence to the revenue than the salary of the judges, it is astonishing how such a mass of taxes can be employed. Not even the internal defence of the country is paid out of the revenue. On all occasions, whether real or contrived, recourse is continually had to new loans and new taxes. No wonder, then, that a machine of government so advantageous to the advocates of a court, should be so triumphantly extolled! No wonder, that St. James's or St. Stephen's should echo with the continual cry of constitution; no wonder, that the French revolution should be reprobated, and the *res-publica* treated with reproach! The *red book* of England, like the red book of France, will explain the reason.*

I will now, by way of relaxation, turn a thought or two to Mr. Burke. I ask his pardon for neglecting him so long.

"America," says he (in his speech on the Canada Constitution bill), "never dreamed of such absurd doctrine as the *Rights of Man.*"

Mr. Burke is such a bold presumer, and advances his assertions and his premises with such a deficiency of judgment, that, without troubling ourselves about principles of philosophy or politics, the mere logical conclusions they produce, are ridiculous. For instance,

If governments, as Mr. Burke asserts, are not founded on the Rights of MAN, and are founded on *any rights* at all, they consequently must be founded on the right of *something* that is *not man.* What then is that something?

Generally speaking, we know of no other creatures that inhabit the earth than man and beast; and in all cases, where only two things offer themselves, and one must be admitted, a negation proved on any one, amounts to an

* What was called the *livre rouge*, or the red book, in France, was not exactly similar to the court calender in England; but it sufficiently showed how a great part of the taxes was lavished.—*Author.*

affirmative on the other; and therefore, Mr. Burke, by proving against the Rights of *Man*, proves in behalf of the *beast;* and consequently, proves that government is a beast; and as difficult things sometimes explain each other, we now see the origin of keeping wild beasts in the Tower; for they certainly can be of no other use than to shew the origin of the government. They are in the place of a constitution. O John Bull, what honours thou hast lost by not being a wild beast. Thou mightest, on Mr. Burke's system, have been in the Tower for life.

If Mr. Burke's arguments have not weight enough to keep one serious, the fault is less mine than his; and as I am willing to make an apology to the reader for the liberty I have taken, I hope Mr. Burke will also make his for giving the cause.

Having thus paid Mr. Burke the compliment of remembering him, I return to the subject.

From the want of a constitution in England to restrain and regulate the wild impulse of power, many of the laws are irrational and tyrannical, and the administration of them vague and problematical.

The attention of the government of England (for I rather chuse to call it by this name than the English government) appears, since its political connection with Germany, to have been so completely engrossed and absorbed by foreign affairs, and the means of raising taxes, that it seems to exit for no other purposes. Domestic concerns are neglected; and with respect to regular law, there is scarcely such a thing.

Almost every case must now be determined by some precedent, be that precedent good or bad, or whether it properly applies or not; and the practice is become so general as to suggest a suspicion, that it proceeds from a deeper policy than at first sight appears.

Since the revolution of America, and more so since that of France, this preaching up the doctrines of precedents, drawn from times and circumstances antecedent to those events, has been the studied practice of the English government. The generality of those precedents are founded on

principles and opinions, the reverse of what they ought; and the greater distance of time they are drawn from, the more they are to be suspected. But by associating those precedents with a superstitious reverence for ancient things, as monks shew relics and call them holy, the generality of mankind are deceived into the design. Governments now act as if they were afraid to awaken a single reflection in man. They are softly leading him to the sepulchre of precedents, to deaden his faculties and call attention from the scene of revolutions. They feel that he is arriving at knowledge faster than they wish, and their policy of precedents is the barometer of their fears. This political popery, like the ecclesiastical popery of old, has had its day, and is hastening to its exit. The ragged relic and the antiquated precedent, the monk and the monarch, will moulder together.

Government by precedent, without any regard to the principle of the precedent, is one of the vilest systems that can be set up. In numerous instances, the precedent ought to operate as a warning, and not as an example, and requires to be shunned instead of imitated; but instead of this, precedents are taken in the lump, and put at once for constitution and for law.

Either the doctrine of precedents is policy to keep a man in a state of ignorance, or it is a practical confession that wisdom degenerates in governments as governments increase in age, and can only hobble along by the stilts and crutches of precedents. How is it that the same persons who would proudly be thought wiser than their predecessors, appear at the same time only as the ghosts of departed wisdom? How strangely is antiquity treated! To some purposes it is spoken of as the times of darkness and ignorance, and to answer others, it is put for the light of the world.

If the doctrine of precedents is to be followed, the expences of government need not continue the same. Why pay men extravagantly, who have but little to do? If everything that can happen is already in precedent, legislation is at an end, and precedent, like a dictionary, determines every case. Either, therefore, government has arrived

at its dotage, and requires to be renovated, or all the occasions for exercising its wisdom have occurred.

We now see all over Europe, and particularly in England, the curious phenomenon of a nation looking one way, and the government the other—the one forward and the other backward. If governments are to go on by precedent, while nations go on by improvement, they must at last come to a final separation; and the sooner, and the more civilly they determine this point, the better.*

Having thus spoken of constitutions generally, as things distinct from actual governments, let us proceed to consider the parts of which a constitution is composed.

Opinions differ more on this subject than with respect to the whole. That a nation ought to have a constitution, as a rule for the conduct of its government, is a simple question in which all men, not directly courtiers, will agree. It is only on the component parts that questions and opinions multiply.

But this difficulty, like every other, will diminish when put into a train of being rightly understood.

The first thing is, that a nation has a right to establish a constitution.

Whether it exercises this right in the most judicious manner at first is quite another case. It exercises it agreeably to the judgment it possesses; and by continuing to do so, all errors will at last be exploded.

When this right is established in a nation, there is no fear that it will be employed to its own injury. A nation can have no interest in being wrong.

Though all the constitutions of America are on one gen-

* In England the improvements in agriculture, useful arts, manufactures, and commerce, have been made in opposition to the genius of its government, which is that of following precedents. It is from the enterprise and industry of the individuals, and their numerous associations, in which, tritely speaking, government is neither pillow nor bolster, that these improvements have proceeded. No man thought about government, or who was *in*, or who was *out*, when he was planning or executing those things; and all he had to hope, with respect to government, was, *that it would let him alone*. Three or four very silly ministerial newspapers are continually offending against the spirit of national improvement, by ascribing it to a minister. They may with as much truth ascribe this book to a minister.—*Author*.

eral principle, yet no two of them are exactly alike in their component parts, or in the distribution of the powers which they give to the actual governments. Some are more, and others less complex.

In forming a constitution, it is first necessary to consider what are the ends for which government is necessary? Secondly, what are the best means, and the least expensive, for accomplishing those ends?

Government is nothing more than a national association; and the object of this association is the good of all, as well individually as collectively. Every man wishes to pursue his occupation, and to enjoy the fruits of his labours and the produce of his property in peace and safety, and with the least possible expence. When these things are accomplished, all the objects for which government ought to be established are answered.

It has been customary to consider government under three distinct general heads. The legislative, the executive, and the judicial.

But if we permit our judgment to act unincumbered by the habit of multiplied terms, we can perceive no more than two divisions of power, of which civil government is composed, namely, that of legislating or enacting laws, and that of executing or administering them. Everything, therefore, appertaining to civil government, classes itself under one or other of these two divisions.

So far as regards the execution of the laws, that which is called the judicial power, is strictly and properly the executive power of every country. It is that power to which every individual has appeal, and which causes the laws to be executed; neither have we any other clear idea with respect to the official execution of the laws. In England, and also in America and France, this power begins with the magistrate, and proceeds up through all the courts of judicature.

I leave to courtiers to explain what is meant by calling monarchy the executive power. It is merely a name in which acts of government are done; and any other, or none at all, would answer the same purpose. Laws have neither

more nor less authority on this account. It must be from the justness of their principles, and the interest which a nation feels therein, that they derive support; if they require any other than this, it is a sign that something in the system of government is imperfect. Laws difficult to be executed cannot be generally good.

With respect to the organization of the *legislative power*, different modes have been adopted in different countries. In America it is generally composed of two houses. In France it consists but of one, but in both countries, it is wholly by representation.

The case is, that mankind (from the long tyranny of assumed power) have had so few opportunities of making the necessary trials on modes and principles of government, in order to discover the best, *that government is but now beginning to be known*, and experience is yet wanting to determine many particulars.

The objections against two houses are, first, that there is an inconsistency in any part of a whole legislature, coming to a final determination by vote on any matter, whilst *that matter*, with respect to *that whole*, is yet only in a train of deliberation, and consequently open to new illustrations.

Secondly, That by taking the vote on each, as a separate body, it always admits of the possibility, and is often the case in practice, that the minority governs the majority, and that, in some instances, to a degree of great inconsistency.

Thirdly, That two houses arbitrarily checking or controuling each other is inconsistent; because it cannot be proved on the principles of just representation, that either should be wiser or better than the other. They may check in the wrong as well as in the right—and therefore to give the power where we cannot give the wisdom to use it, nor be assured of its being rightly used, renders the hazard at least equal to the precaution.*

* With respect to the two houses, of which the English parliament is composed, they appear to be effectually influenced into one, and, as a legislature, to have no temper of its own. The minister, whoever he at any time may be, touches it as with an opium wand, and it sleeps obedience.

But if we look at the distinct abilities of the two houses, the difference will

The objection against a single house is, that it is always in a condition of committing itself too soon.—But it should at the same time be remembered, that when there is a constitution which defines the power, and establishes the principles within which a legislature shall act, there is already a more effectual check provided, and more powerfully operating, than any other check can be. For example,

Were a Bill to be brought into any of the American legislatures similar to that which was passed into an act by the English parliament, at the commencement of George the First, to extend the duration of the assemblies to a longer period than they now sit, the check is in the constitution, which in effect says, Thus far shalt thou go and no further.

But in order to remove the objection against a single house, (that of acting with too quick an impulse,) and at the same time to avoid the inconsistencies, in some cases absurdities, arising from two houses, the following method has been proposed as an improvement upon both.

First, To have but one representation.

Secondly, To divide that representation, by lot, into two or three parts.

Thirdly, That every proposed bill, shall be first debated in those parts by succession, that they may become the hearers of each other, but without taking any vote. After

appear so great, as to show the inconsistency of placing power where there can be no certainty of the judgment to use it. Wretched as the state of representation is in England, it is manhood compared with what is called the house of Lords; and so little is this nick-named house regarded, that the people scarcely inquire at any time what it is doing. It appears also to be most under influence, and the furthest removed from the general interest of the nation. In the debate on engaging in the Russian and Turkish war, the majority in the house of peers in favor of it was upwards of ninety, when in the other house; which was more than double its numbers, the majority was sixty-three.

The proceedings on Mr. Fox's bill, respecting the rights of juries, merits also to be noticed. The persons called the peers were not the objects of that bill. They are already in possession of more privileges than that bill gave to others. They are their own jury, and if any one of that house were prosecuted for a libel, he would not suffer, even upon conviction, for the first offence. Such inequality in laws ought not to exist in any country. The French constitution says, that *the law is the same to every individual, whether to protect or to punish. All are equal in its sight.—Author.*

which the whole representation to assemble for a general debate and determination by vote.

To this proposed improvement has been added another, for the purpose of keeping the representation in the state of constant renovation; which is, that one-third of the representation of each county, shall go out at the expiration of one year, and the number be replaced by new elections. Another third at the expiration of the second year replaced in like manner, and every third year to be a general election.*

But in whatever manner the separate parts of a constitution may be arranged, there is *one* general principle that distinguishes freedom from slavery, which is, that all *hereditary government over a people is to them a species of slavery, and representative government is freedom.*

Considering government in the only light in which it should be considered, that of a NATIONAL ASSOCIATION, it ought to be so constructed as not to be disordered by any accident happening among the parts; and, therefore, no extraordinary power, capable of producing such an effect, should be lodged in the hands of any individual. The death, sickness, absence or defection, of any one individual in a government, ought to be a matter of no more consequence, with respect to the nation, than if the same circumstance had taken place in a member of the English Parliament, or the French National Assembly.

Scarcely anything presents a more degrading character of national greatness, than its being thrown into confusion, by anything happening to or acted by any individual; and the ridiculousness of the scene is often increased by the natural insignificance of the person by whom it is occasioned. Were a government so constructed, that it could not go on unless a goose or a gander were present in the senate, the difficulties would be just as great and as real, on the flight or sickness of the goose, or the gander, as if it were called a King. We laugh at individuals for the silly difficulties they

*As to the state of representation in England, it is too absurd to be reasoned upon. Almost all the represented parts are decreasing in population, and the unrepresented parts are increasing. A general convention of the nation is necessary to take the whole form of government into consideration.—*Author.*

make to themselves, without perceiving that the greatest of all ridiculous things are acted in governments.*

All the constitutions of America are on a plan that excludes the childish embarrassments which occur in monarchical countries. No suspension of government can there take place for a moment, from any circumstances whatever. The system of representation provides for everything, and is the only system in which nations and governments can always appear in their proper character.

As extraordinary power ought not to be lodged in the hands of any individual, so ought there to be no appropriations of public money to any person, beyond what his services in a state may be worth. It signifies not whether a man be called a president, a king, an emperor, a senator, or by any other name which propriety or folly may devise or arrogance assume; it is only a certain service he can perform in the state; and the service of any such individual in the routine of office, whether such office be called monarchical, presidential, senatorial, or by any other name or title, can never exceed the value of ten thousand pounds a year. All the great services that are done in the world are performed by volunteer characters, who accept nothing for them; but the routine of office is always regulated to such a general standard of abilities as to be within the compass of numbers in every country to perform, and therefore cannot merit very extraordinary recompense. *Government*, says Swift, *is a plain thing, and fitted to the capacity of many heads.*

* It is related that in the canton of Berne, in Switzerland, it has been customary, from time immemorial, to keep a bear at the public expense, and the people had been taught to believe, that if they had not a bear they should all be undone. It happened some years ago that the bear, then in being, was taken sick, and died too suddenly to have his place immediately supplied with another. During this interregnum the people discovered that the corn grew, and the vintage flourished, and the sun and moon continued to rise and set, and everything went on the same as before, and taking courage from these circumstances, they resolved not to keep any more bears; for, said they, "a bear is a very voracious expensive animal, and we were obliged to pull out his claws, lest he should hurt the citizens." The story of the bear of Berne was related in some of the French newspapers, at the time of the flight of Louis XVI., and the application of it to monarchy could not be mistaken in France; but it seems that the aristocracy of Berne applied it to themselves, and have since prohibited the reading of French newspapers.—*Author.*

It is inhuman to talk of a million sterling a year, paid out of the public taxes of any country, for the support of any individual, whilst thousands who are forced to contribute thereto, are pining with want, and struggling with misery. Government does not consist in a contrast between prisons and palaces, between poverty and pomp; it is not instituted to rob the needy of his mite, and increase the wretchedness of the wretched.—But on this part of the subject I shall speak hereafter, and confine myself at present to political observations.

When extraordinary power and extraordinary pay are allotted to any individual in a government, he becomes the center, round which every kind of corruption generates and forms. Give to any man a million a-year, and add thereto the power of creating and disposing of places, at the expence of a country, and the liberties of that country are no longer secure. What is called the splendor of a throne is no other than the corruption of the state. It is made up of a band of parasites, living in luxurious indolence, out of the public taxes.

When once such a vicious system is established it becomes the guard and protection of all inferior abuses. The man who is in the receipt of a million a year is the last person to promote a spirit of reform, lest, in the event, it should reach to himself. It is always his interest to defend inferior abuses, as so many outworks to protect the citadel; and on this species of political fortification, all the parts have such a common dependence that it is never to be expected they will attack each other.*

Monarchy would not have continued so many ages in the world, had it not been for the abuses it protects. It is the

* It is scarcely possible to touch on any subject, that will not suggest an allusion to some corruption in governments. The simile of "*fortifications*," unfortunately involves with it a circumstance, which is directly in point with the matter above alluded to.

Among the numerous instances of abuse which have been acted or protected by governments, ancient or modern, there is not a greater than that of quartering a man and his heirs upon the public, to be maintained at his expence.

Humanity dictates a provision for the poor; but by what right, moral or political, does any government assume to say, that the person called the Duke of Richmond, shall be maintained by the public? Yet, if common report is true,

master-fraud, which shelters all others. By admitting a participation of the spoil, it makes itself friends; and when it ceases to do this it will cease to be the idol of courtiers.

As the principle on which constitutions are now formed rejects all hereditary pretensions to government, it also rejects all that catalogue of assumptions known by the name of prerogatives.

If there is any government where prerogatives might with apparent safety be entrusted to any individual, it is in the fœderal government af America. The president of the United States of America is elected only for four years. He is not only responsible in the general sense of the word, but a particular mode is laid down in the constitution for trying him. He cannot be elected under thirty-five years of age; and he must be a native of the country.

In a comparison of these cases with the Government of England, the difference when applied to the latter amounts to an absurdity. In England the person who exercises prerogative is often a foreigner; always half a foreigner, and always married to a foreigner. He is never in full natural or political connexion with the country, is not responsible for anything, and becomes of age at eighteen years; yet such a person is permitted to form foreign alliances, without even the knowledge of the nation, and to make war and peace without its consent.

But this is not all. Though such a person cannot dispose of the government in the manner of a testator, he dictates the marriage connexions, which, in effect, accomplish a great part of the same end. He cannot directly bequeath half the

not a beggar in London can purchase his wretched pittance of coal, without paying towards the civil list of the Duke of Richmond. Were the whole produce of this imposition but a shilling a year, the iniquitous principle would be still the same; but when it amounts, as it is said to do, to no less than twenty thousand pounds per annum, the enormity is too serious to be permitted to remain. This is one of the effects of monarchy and aristocracy.

In stating this case I am led by no personal dislike. Though I think it mean in any man to live upon the public, the vice originates in the government; and so general is it become, that whether the parties are in the ministry or in the opposition, it makes no difference: they are sure of the guarantee of each other.—*Author.*

government to Prussia, but he can form a marriage partnership that will produce almost the same thing. Under such circumstances, it is happy for England that she is not situated on the Continent, or she might, like Holland, fall under the dictatorship of Prussia. Holland, by marriage, is as effectually governed by Prussia, as if the old tyranny of bequeathing the government had been the means.

The presidency in America (or, as it is sometimes called, the executive) is the only office from which a foreigner is excluded, and in England it is the only one to which he is admitted. A foreigner cannot be a member of Parliament, but he may be what is called a king. If there is any reason for excluding foreigners, it ought to be from those offices where mischief can most be acted, and where, by uniting every bias of interest and attachment, the trust is best secured. But as nations proceed in the great business of forming constitutions, they will examine with more precision into the nature and business of that department which is called the executive. What the legislative and judicial departments are every one can see; but with respect to what, in Europe, is called the executive, as distinct from those two, it is either a political superfluity or a chaos of unknown things.

Some kind of official department, to which reports shall be made from the different parts of a nation, or from abroad, to be laid before the national representatives, is all that is necessary; but there is no consistency in calling this the executive; neither can it be considered in any other light than as inferior to the legislative. The sovereign authority in any country is the power of making laws, and everything else is an official department.

Next to the arrangement of the principles and the organization of the several parts of a constitution, is the provision to be made for the support of the persons to whom the nation shall confide the administration of the constitutional powers.

A nation can have no right to the time and services of any person at his own expence, whom it may choose to employ or intrust in any department whatever; neither can any reason be given for making provision for the support of any one part of a government and not for the other.

But admitting that the honour of being entrusted with any part of a government is to be considered a sufficient reward, it ought to be so to every person alike. If the members of the legislature of any country are to serve at their own expence that which is called the executive, whether monarchical or by any other name, ought to serve in like manner. It is inconsistent to pay the one, and accept the service of the other gratis.

In America, every department in the government is decently provided for; but no one is extravagantly paid. Every member of Congress, and of the Assemblies, is allowed a sufficiency for his expences. Whereas in England, a most prodigal provision is made for the support of one part of the Government, and none for the other, the consequence of which is that the one is furnished with the means of corruption and the other is put into the condition of being corrupted. Less than a fourth part of such expence, applied as it is in America, would remedy a great part of the corruption.

Another reform in the American constitution is the exploding all oaths of personality. The oath of allegiance in America is to the nation only. The putting any individual as a figure for a nation is improper. The happiness of a nation is the superior object, and therefore the intention of an oath of allegiance ought not to be obscured by being figuratively taken, to, or in the name of, any person. The oath, called the civic oath, in France, viz., "*the nation, the law, and the king,*" is improper. If taken at all, it ought to be as in America, to the nation only. The law may or may not be good; but, in this place, it can have no other meaning, than as being conducive to the happiness of a nation, and therefore is included in it. The remainder of the oath is improper, on the ground, that all personal oaths ought to be abolished. They are the remains of tyranny on one part and slavery on the other; and the name of the CREATOR ought not to be introduced to witness the degradation of his creation; or if taken, as is already mentioned, as figurative of the nation, it is in this place redundant. But whatever apology may be made for oaths at the first establishment of a government, they ought not to be permitted afterwards. If a government

requires the support of oaths, it is a sign that it is not worth supporting, and ought not to be supported. Make government what it ought to be, and it will support itself.

To conclude this part of the subject:—One of the greatest improvements that have been made for the perpetual security and progress of constitutional liberty, is the provision which the new constitutions make for occasionally revising, altering, and amending them.

The principle upon which Mr. Burke formed his political creed, that of "*binding and controuling posterity to the end of time*, and of *renouncing and abdicating the rights of all posterity, for ever*," is now become too detestable to be made a subject of debate; and therefore, I pass it over with no other notice than exposing it.

Government is but now beginning to be known. Hitherto it has been the mere exercise of power, which forbad all effectual enquiry into rights, and grounded itself wholly on possession. While the enemy of liberty was its judge, the progress of its principles must have been small indeed.

The constitutions of America, and also that of France, have either affixed a period for their revision, or laid down the mode by which improvement shall be made. It is perhaps impossible to establish anything that combines principles with opinions and practice, which the progress of circumstances, through a length of years, will not in some measure derange, or render inconsistent; and, therefore, to prevent inconveniencies accumulating, till they discourage reformations or provoke revolutions, it is best to provide the means of regulating them as they occur. The Rights of Man are the rights of all generations of men, and cannot be monopolised by any. That which is worth following, will be followed for the sake of its worth, and it is in this that its security lies, and not in any conditions with which it may be encumbered. When a man leaves property to his heirs, he does not connect it with an obligation that they shall accept it. Why, then, should we do otherwise with respect to constitutions? The best constitution that could now be devised, consistent with the condition of the present moment, may be far short of that excellence which a few

years may afford. There is a morning of reason rising upon man on the subject of government, that has not appeared before. As the barbarism of the present old governments expires, the moral conditions of nations with respect to each other will be changed. Man will not be brought up with the savage idea of considering his species as his enemy, because the accident of birth gave the individuals existence in countries distinguished by different names; and as constitutions have always some relation to external as well as to domestic circumstances, the means of benefitting by every change, foreign or domestic, should be a part of every constitution. We already see an alteration in the national disposition of England and France towards each other, which, when we look back to only a few years, is itself a Revolution. Who could have foreseen, or who could have believed, that a French National Assembly would ever have been a popular toast in England, or that a friendly alliance of the two nations should become the wish of either? It shews, that man, were he not corrupted by governments, is naturally the friend of man, and that human nature is not of itself vicious. That spirit of jealousy and ferocity, which the governments of the two countries inspired, and which they rendered subservient to the purpose of taxation, is now yielding to the dictates of reason, interest, and humanity. The trade of courts is beginning to be understood, and the affectation of mystery, with all the artificial sorcery by which they imposed upon mankind, is on the decline. It has received its death-wound; and though it may linger, it will expire. Government ought to be as much open to improvement as anything which appertains to man, instead of which it has been monopolised from age to age, by the most ignorant and vicious of the human race. Need we any other proof of their wretched management, than the excess of debts and taxes with which every nation groans, and the quarrels into which they have precipitated the world? Just emerging from such a barbarous condition, it is too soon to determine to what extent of improvement government may yet be carried. For what we can foresee, all Europe may form but one great Republic, and man be free of the whole.

CHAPTER V.

WAYS AND MEANS OF IMPROVING THE CONDITION OF EUROPE, INTERSPERSED WITH MISCELLANEOUS OBSERVATIONS.

In contemplating a subject that embraces with equatorial magnitude the whole region of humanity it is impossible to confine the pursuit in one single direction. It takes ground on every character and condition that appertains to man, and blends the individual, the nation, and the world. From a small spark, kindled in America, a flame has arisen not to be extinguished. Without consuming, like the *Ultima Ratio Regum*, it winds its progress from nation to nation, and conquers by a silent operation. Man finds himself changed, he scarcely perceives how. He acquires a knowledge of his rights by attending justly to his interest, and discovers in the event that the strength and powers of despotism consist wholly in the fear of resisting it, and that, in order "*to be free, it is sufficient that he wills it.*"

Having in all the preceding parts of this work endeavoured to establish a system of principles as a basis on which governments ought to be erected, I shall proceed in this, to the ways and means of rendering them into practice. But in order to introduce this part of the subject with more propriety, and stronger effect, some preliminary observations, deducible from, or connected with, those principles, are necessary.

Whatever the form or constitution of government may be, it ought to have no other object than the *general* happiness. When, instead of this, it operates to create and encrease wretchedness in any of the parts of society, it is on a wrong system, and reformation is necessity. Customary language has classed the condition of man under the two descriptions of civilised and uncivilised life. To the one it has ascribed felicity and affluence; to the other hardship and want. But, however our imagination may be impressed by painting and comparison, it is nevertheless true, that a great portion of mankind, in what are called civilised countries, are in a state of poverty and wretchedness, far below the condition of an Indian. I speak not of one country, but of all. It is so in England, it is so all over Europe. Let us enquire into the cause.

It lies not in any natural defect in the principles of civilisation, but in preventing those principles having a universal operation ; the consequence of which is, a perpetual system of war and expence, that drains the country, and defeats the general felicity of which civilisation is capable. All the European governments (France now excepted) are constructed not on the principle of universal civilisation, but on the reverse of it. So far as those governments relate to each other, they are in the same condition as we conceive of savage uncivilised life ; they put themselves beyond the law as well of GOD as of man, and are, with respect to principle and reciprocal conduct, like so many individuals in a state of nature. The inhabitants of every country, under the civilisation of laws, easily civilise together, but governments being yet in an uncivilised state, and almost continually at war, they pervert the abundance which civilised life produces to carry on the uncivilised part to a greater extent. By thus engrafting the barbarism of government upon the internal civilisation of a country, it draws from the latter, and more especially from the poor, a great portion of those earnings, which should be applied to their own subsistence and comfort. Apart from all reflections of morality and philosophy, it is a melancholy fact that more than one-fourth of the labour of mankind is annually consumed by this barbarous system. What has served to continue this evil, is the pecuniary advantage which all the governments of Europe have found in keeping up this state of uncivilisation. It affords to them pretences for power, and revenue, for which there would be neither occasion nor apology, if the circle of civilisation were rendered complete. Civil government alone, or the government of laws, is not productive of pretences for many taxes ; it operates at home, directly under the eye of the country, and precludes the possibility of much imposition. But when the scene is laid in the uncivilised contention of governments, the field of pretences is enlarged, and the country, being no longer a judge, is open to every imposition, which governments please to act. Not a thirtieth, scarcely a fortieth, part of the taxes which are raised in England are either occasioned by, or ap-

plied to, the purpose of civil government. It is not difficult to see, that the whole which the actual government does in this respect, is to enact laws, and that the country administers and executes them, at its own expence, by means of magistrates, juries, sessions, and assize, over and above the taxes which it pays. In this view of the case, we have two distinct characters of government; the one the civil government, or the government of laws, which operates at home, the other the court or cabinet government, which operates abroad, on the rude plan of uncivilised life; the one attended with little charge, the other with boundless extravagance; and so distinct are the two, that if the latter were to sink, as it were, by a sudden opening of the earth, and totally disappear, the former would not be deranged. It would still proceed, because it is the common interest of the nation that it should, and all the means are in practice. Revolutions, then, have for their object a change in the moral condition of governments, and with this change the burthen of public taxes will lessen, and civilisation will be left to the enjoyment of that abundance, of which it is now deprived. In contemplating the whole of this subject, I extend my views into the department of commerce. In all my publications, where the matter would admit, I have been an advocate for commerce, because I am a friend to its effects. It is a pacific system, operating to cordialise mankind, by rendering nations, as well as individuals, useful to each other. As to the mere theoretical reformation, I have never preached it up. The most effectual process is that of improving the condition of man by means of his interest; and it is on this ground that I take my stand. If commerce were permitted to act to the universal extent it is capable, it would extirpate the system of war, and produce a revolution in the uncivilised state of governments. The invention of commerce has arisen since those governments began, and is the greatest approach towards universal civilisation that has yet been made by any means not immediately flowing from moral principles. Whatever has a tendency to promote the civil intercourse of nations by an exchange of benefits, is a subject as worthy of philosophy as of politics.

Commerce is no other than the traffic of two individuals, multiplied on a scale of numbers; and by the same rule that nature intended for the intercourse of two, she intended that of all. For this purpose she has distributed the materials of manufactures and commerce, in various and distant parts of a nation and of the world; and as they cannot be procured by war so cheaply or so commodiously as by commerce, she has rendered the latter the means of extirpating the former. As the two are nearly the opposite of each other, consequently, the uncivilised state of the European governments is injurious to commerce. Every kind of destruction or embarrassment serves to lessen the quantity, and it matters but little in what part of the commercial world the reduction begins. Like blood, it cannot be taken from any of the parts, without being taken from the whole mass in circulation, and all partake of the loss. When the ability in any nation to buy is destroyed, it equally involves the seller. Could the government of England destroy the commerce of all other nations, she would most effectually ruin her own. It is possible that a nation may be the carrier for the world, but she cannot be the merchant. She cannot be the seller and buyer of her own merchandise. The ability to buy must reside out of herself; and, therefore, the prosperity of any commercial nation is regulated by the prosperity of the rest. If they are poor she cannot be rich, and her condition, be what it may, is an index of the height of the commercial tide in other nations. That the principles of commerce, and its universal operation may be understood, without understanding the practice, is a position that reason will not deny; and it is on this ground only that I argue the subject. It is one thing in the counting-house, in the world it is another. With respect to its operation it must necessarily be contemplated as a reciprocal thing; that only one-half its powers resides within the nation, and that the whole is as effectually destroyed by the destroying the half that resides without, as if the destruction had been committed on that which is within; for neither can act without the other. When in the last, as well as in former wars, the commerce of England sunk, it

was because the quantity was lessened everywhere; and it now rises, because commerce is in a rising state in every nation. If England, at this day, imports and exports more than at any former period, the nations with which she trades must necessarily do the same; her imports are their exports, and *vice versa*. There can be no such thing as a nation flourishing alone in commerce: she can only participate; and the destruction of it in any part must necessarily affect all. When, therefore, governments are at war, the attack is made upon a common stock of commerce, and the consequence is the same as if each had attacked his own. The present increase of commerce is not to be attributed to ministers, or to any political contrivances, but to its own natural operation in consequence of peace. The regular markets had been destroyed, the channels of trade broken up, the high road of the seas infested with robbers of every nation, and the attention of the world called to other objects. Those interruptions have ceased, and peace has restored the deranged condition of things to their proper order. * It is worth remarking that every nation reckons the balance of trade in its own favour; and therefore something must be irregular in the common ideas upon this subject. The fact, however, is true, according to what is called a balance; and it is from this cause that commerce is universally supported. Every nation feels the advantage, or it would abandon the practice: but the deception lies in the mode of making up the accounts, and in attributing what are called profits to a wrong cause. Mr. Pitt has sometimes amused himself, by showing what he called a balance of trade from the custom-house books. This mode of calculating, not only affords no rule that is true, but one that is false. In the first place, Every cargo that departs from the custom-house, appears on the books as an export; and, ac-

* In America the increase of commerce is greater in proportion than in England. It is, at this time, at least one half more than at any period prior to the revolution. The greatest number of vessels cleared out of the port of Philadelphia, before the commencement of the war, was between eight and nine hundred. In the year 1788, the number was upwards of twelve hundred. As the State of Pennsylvania is estimated at an eighth part of the United States in population, the whole number of vessels must now be nearly ten thousand. —*Author.*

cording to the custom-house balance, the losses at sea, and by foreign failures, are all reckoned on the side of profit because they appear as exports.

Secondly, Because the importation by the smuggling trade does not appear on the custom-house, books, to arrange against the exports.

No balance, therefore, as applying to superior advantages, can be drawn from these documents; and if we examine the natural operation of commerce, the idea is fallacious; and if true, would soon be injurious. The great support of commerce consists in the balance being a level of benefits among all nations.

Two merchants of different nations trading together, will both become rich, and each makes the balance in his own favour; consequently, they do not get rich of each other; and it is the same with respect to the nations in which they reside. The case must be, that each nation must get rich out of its own means, and increases that riches by something which it procures from another in exchange.

If a merchant in England sends an article of English manufacture abroad which costs him a shilling at home, and imports something which sells for two, he makes a balance of one shilling in his favour; but this is not gained out of the foreign nation or the foreign merchant, for he also does the same by the articles he receives, and neither has the advantage upon the other. The original value of the two articles in their proper countries were but two shillings; but by changing their places, they acquire a new idea of value, equal to double what they had first, and that increased value is equally divided.

There is no otherwise a balance on foreign than on domestic commerce. The merchants of London and Newcastle trade on the same principles, as if they resided in different nations, and make their balances in the same manner: yet London does not get rich out of Newcastle, any more than Newcastle out of London: but coals, the merchandize of Newcastle, have an additional value at London, and London merchandize has the same at Newcastle.

Though the principal of all commerce is the same, the

domestic, in a national view, is the part the most beneficial; because the whole of the advantages, on both sides, rests within the nation; whereas, in foreign commerce, it is only a participation of one-half.

The most unprofitable of all commerce is that connected with foreign dominion. To a few individuals it may be beneficial, merely because it is commerce; but to the nation it is a loss. The expence of maintaining dominion more than absorbs the profits of any trade. It does not increase the general quantity in the world, but operates to lessen it; and as a greater mass would be afloat by relinquishing dominion, the participation without the expence would be more valuable than a greater quantity with it.

But it is impossible to engross commerce by dominion; and therefore it is still more fallacious. It cannot exist in confined channels, and necessarily breaks out by regular or irregular means, that defeat the attempt: and to succeed would be still worse. France, since the Revolution, has been more indifferent as to foreign possessions, and other nations will become the same when they investigate the subject with respect to commerce.

To the expence of dominion is to be added that of navies, and when the amounts of the two are subtracted from the profits of commerce, it will appear, that what is called the balance of trade, even admitting it to exist, is not enjoyed by the nation, but absorbed by the Government.

The idea of having navies for the protection of commerce is delusive. It is putting means of destruction for the means of protection. Commerce needs no other protection than the reciprocal interest which every nation feels in supporting it—it is common stock—it exists by a balance of advantages to all; and the only interruption it meets, is from the present uncivilised state of governments, and which it is its common interest to reform.*

* When I saw Mr. Pitt's mode of estimating the balance of trade, in one of his parliamentary speeches, he appeared to me to know nothing of the nature and interest of commerce; and no man has more wantonly tortured it than himself. During a period of peace it has been havocked with the calamities of war. Three times has it been thrown into stagnation, and the vessels unmanned by impressing, within less than four years of peace.—*Author.*

Quitting this subject, I now proceed to other matters.—As it is necessary to include England in the prospect of a general reformation, it is proper to inquire into the defects of its government. It is only by each nation reforming its own, that the whole can be improved, and the full benefit of reformation enjoyed. Only partial advantages can flow from partial reforms.

France and England are the only two countries in Europe where a reformation in government could have successfully begun. The one secure by the ocean, and the other by the immensity of its internal strength, could defy the malignancy of foreign despotism. But it is with revolutions as with commerce, the advantages increase by their becoming general, and double to either what each would receive alone.

As a new system is now opening to the view of the world, the European courts are plotting to counteract it. Alliances, contrary to all former systems, are agitating, and a common interest of courts is forming against the common interest of man. This combination draws a line that runs throughout Europe, and presents a cause so entirely new as to exclude all calculations from former circumstances. While despotism warred with despotism, man had no interest in the contest; but in a cause that unites the soldier with the citizen, and nation with nation, the despotism of courts, though it feels the danger and meditates revenge, is afraid to strike.

No question has arisen within the records of history that pressed with the importance of the present. It is not whether this or that party shall be in or not, or Whig or Tory, high or low shall prevail; but whether man shall inherit his rights, and universal civilisation take place? Whether the fruits of his labours shall be enjoyed by himself or consumed by the profligacy of governments? Whether robbery shall be banished from courts, and wretchedness from countries?

When, in countries that are called civilised, we see age going to the workhouse and youth to the gallows, something must be wrong in the system of government. It would seem, by the exterior appearance of such countries, that all was happiness; but there lies hidden from the eye of common observation, a mass of wretchedness, that has scarcely

any other chance, than to expire in poverty or infamy. Its entrance into life is marked with the presage of its fate; and until this is remedied, it is in vain to punish.

Civil government does not exist in executions; but in making such provision for the instruction of youth and the support of age, as to exclude, as much as possible, profligacy from the one and despair from the other. Instead of this, the resources of a country are lavished upon kings, upon courts, upon hirelings, impostors and prostitutes; and even the poor themselves, with all their wants upon them, are compelled to support the fraud that oppresses them.

Why is it that scarcely any are executed but the poor? The fact is a proof, among other things, of a wretchedness in their condition. Bred up without morals, and cast upon the world without a prospect, they are the exposed sacrifice of vice and legal barbarity. The millions that are superfluously wasted upon governments are more than sufficient to reform those evils, and to benefit the condition of every man in a nation, not included within the purlieus of a court. This I hope to make appear in the progress of this work.

It is the nature of compassion to associate with misfortune. In taking up this subject I seek no recompense—I fear no consequence. Fortified with that proud integrity, that disdains to triumph or to yield, I will advocate the Rights of Man.

It is to my advantage that I have served an apprenticeship to life. I know the value of moral instruction, and I have seen the danger of the contrary.

At an early period—little more than sixteen years of age, raw and adventurous, and heated with the false heroism of a master * who had served in a man-of-war—I began the carver of my own fortune, and entered on board the Terrible Privateer, Captain Death. From this adventure I was happily prevented by the affectionate and moral remonstrance of a good father, who, from his own habits of life, being of the Quaker profession, must begin to look upon

* Rev. William Knowle, master of the grammar school of Thetford, in Norfolk.—*Author.*

me as lost. But the impression, much as it effected at the time, began to wear away, and I entered afterwards in the King of Prussia Privateer, Captain Mendez, and went with her to sea. Yet, from such a beginning, and with all the inconvenience of early life against me, I am proud to say, that with a perseverence undismayed by difficulties, a disinterestedness that compelled respect, I have not only contributed to raise a new empire in the world, founded on a new system of government, but I have arrived at an eminence in political literature, the most difficult of all lines to succeed and excel in, which aristocracy with all its aids has not been able to reach or to rival.*

* Politics and self-interest have been so uniformly connected that the world, from being so often deceived, has a right to be suspicious of public characters, but with regard to myself I am perfectly easy on this head. I did not, at my first setting out in public life, nearly seventeen years ago, turn my thoughts to subjects of government from motives of interest, and my conduct from that moment to this proves the fact. I saw an opportunity in which I thought I could do some good, and I followed exactly what my heart dictated. I neither read books, nor studied other people's opinion. I thought for myself. The case was this: —

During the suspension of the old governments in America, both prior to and at the breaking out of hostilities, I was struck with the order and decorum with which everything was conducted, and impressed with the idea that a little more than what society naturally performed was all the government that was necessary, and that monarchy and aristocracy were frauds and impositions upon mankind. On these principles I published the pamphlet *Common Sense*. The success it met with was beyond anything since the invention of printing. I gave the copyright to every state in the Union, and the demand ran to not less than one hundred thousand copies. I continued the subject in the same manner, under the title of *The Crisis*, till the complete establishment of the Revolution.

After the declaration of independence Congress unanimously, and unknown to me, appointed me Secretary in the Foreign Department. This was agreeable to me, because it gave me the opportunity of seeing into the abilities of foreign courts, and their manner of doing business. But a misunderstanding arising between congress and me, respecting one of their commissioners then in Europe, Mr. Silas Deane, I resigned the office, and declined at the same time the pecuniary offers made by the Ministers of France and Spain, M. Gerald and Don Juan Mirralles.

I had by this time so completely gained the ear and confidence of America, and my own independence was become so visible, as to give me a range in political writing beyond, perhaps, what any man ever possessed in any country, and, what is more extraordinary, I held it undiminished to the end of the war,

Knowing my own heart and feeling myself as I now do, superior to all the skirmish of party, the inveteracy of interested or mistaken opponents, I answer not to falsehood or abuse, but proceed to the defects of the Engltsh Government.

and enjoy it in the same manner to the present moment. As my object was not myself, I set out with the determination, and happily with the disposition, of not being moved by praise or censure, friendship or calumny, nor of being drawn from my purpose by any personal altercation, and the man who cannot do this is not fit for a public character.

When the war ended I went from Philadelphia to Borden-Town, on the east bank of the Delaware, where I have a small place. Congress was at this time at Prince-Town, fifteen miles distant, and General Washington had taken his headquarters at Rocky Hill, within the neighborhood of Congress, for the purpose of resigning up his commission (the object for which he accepted it being accomplished), and of retiring to private life. While he was on this business he wrote me the letter which I here subjoin : —

"Rocky-Hill, Sept. 10, 1783.

"I have learned since I have been at this place that you are at Borden-Town. Whether for the sake of retirement or economy I know not. Be it for either, for both, or whatever it may, if you will come to this place, and partake with me, I shall be exceedingly happy to see you at it.

"Your presence may remind Congress of your past services to this country, and if it is in my power to impress them, command my best exertions with freedom, as they will be rendered cheerfully by one who entertains a lively sense of the importance of your works, and who, with much pleasure, subscribes himself, Your sincere friend, G. WASHINGTON."

During the war, in the latter end of the year 1780, I formed to myself a design of coming over to England, and communicated it to General Greene, who was then in Philadelphia on his route to the southward, General Washington being then at too great a distance to communicate with immediately. I was strongly impressed with the idea that if I could get over to England without being known, and only remain in safety till I could get out a publication, that I could open the eyes of the country with respect to the madness and stupidity of its Government. I saw that the parties in Parliament had pitted themselves as far as they could go, and could make no new impressions on each other. General Greene entered fully into my views, but the affair of Arnold and André happening just after, he changed his mind, under strong apprehensions for my safety, wrote very pressingly to me from Annapolis, in Maryland, to give up the design, which, with some reluctance, I did. Soon after this I accompanied Colonel Lawrens, son of Mr. Lawrens, who was then in the Tower, to France on business from Congress. We landed at L'Orient, and while I remained there, he being gone forward, a circumstance occurred that renewed my former design. An English packet from Falmouth to New York,

I begin with charters and corporations. [1]

It is a perversion of terms to say that a charter gives rights. It operates by a contrary effect—that of taking rights away. Rights are inherently in all the inhabitants; but charters, by annulling those rights, in the majority, leave the right, by exclusion, in the hands of a few. If charters were constructed so as to express in direct terms, "*that every inhabitant, who is not a member of a corporation, shall not exercise the right of voting*," such charters would, in the face, be charters not of rights, but of exclusion. The effect is the same under the form they now stand; and the only persons on whom they operate are the persons whom they exclude. Those whose rights are guaranteed, by not being taken away, exercise no other rights than as members of the community they are entitled to without a charter; and, therefore, all charters have no other than an indirect negative operation. They do not give rights to A, but they

with the Government dispatches on board, was brought into L'Orient. That a packet should be taken is no extraordinary thing, but that the dispatches should be taken with it will scarcely be credited, as they are always slung at the cabin window in a bag loaded with cannon-ball, and ready to be sunk at a moment. The fact, however, is as I have stated it, for the dispatches came into my hands, and I read them. The capture, as I was informed, succeeded by the following stratagem :—The captain of the "Madame" privateer, who spoke English, on coming up with the packet, passed himself for the captain of an English frigate, and invited the captain of the packet on board, which, when done, he sent some of his own hands back, and secured the mail. But be the circumstance of the capture what it may, I speak with certainty as to the Government dispatches. They were sent up to Paris to Count Vergennes, and when Colonel Lawrens and myself returned to America we took the originals to Congress.

By these dispatches I saw into the stupidity of the English Cabinet far more than I otherwise could have done, and I renewed my former design. But Colonel Lawrens was so unwilling to return alone, more especially as, among other matters, we had a charge of upwards of two hundred thousand pounds sterling in money, that I gave in to his wishes, and finally gave up my plan. But I am now certain that if I could have executed it that it would not have been altogether unsuccessful.—*Author.*

[1] At a Society for Political Inquiries which met at Dr. Franklin's house, 1787. (Philadelphia), Paine read a paper "On the inexpediency of incorporating, towns." ("Penn. Hist. Soc. Memoirs," 1840.) The essay has not been discovered.—*Editor.*

make a difference in favour of A by taking away the right of B, and consequently are instruments of injustice.

But charters and corporations have a more extensive evil effect than what relates merely to elections. They are sources of endless contentions in the places where they exist, and they lessen the common rights of national society. A native of England, under the operation of these charters and corporations, cannot be said to be an Englishman in the full sense of the word. He is not free of the nation, in the same manner that a Frenchman is free of France, and an American of America. His rights are circumscribed to the town, and, in some cases, to the parish of his birth; and all other parts, though in his native land, are to him as a foreign country. To acquire a residence in these, he must undergo a local naturalisation by purchase, or he is forbidden or expelled the place. This species of feudality is kept up to aggrandise the corporations at the ruin of towns; and the effect is visible.

The generality of corporation towns are in a state of solitary decay, and prevented from further ruin only by some circumstance in their situation, such as a navigable river, or a plentiful surrounding country. As population is one of the chief sources of wealth (for without it land itself has no value), everything which operates to prevent it must lessen the value of property; and as corporations have not only this tendency, but directly this effect, they cannot but be injurious. If any policy were to be followed, instead of that of general freedom, to every person to settle where he chose (as in France or America) it would be more consistent to give encouragement to new comers than to preclude their admission by exacting premiums from them.*

The persons most immediately interested in the abolition of corporations are the inhabitants of the towns where cor-

* It is difficult to account for the origin of charter and corporation towns, unless we suppose them to have arisen out of, or been connected with, some species of garrison service. The times in which they began justify this idea. The generality of those towns have been garrisons, and the corporations were charged with the care of the gates of the towns, when no military garrison was present. Their refusing or granting admission to strangers, which has produced

porations are established. The instances of Manchester, Birmingham, and Sheffield shew, by contrast, the injuries which those Gothic institutions are to property and commerce. A few examples may be found, such as that of London, whose natural and commercial advantage, owing to its situation on the Thames, is capable of bearing up against the political evils of a corporation; but in almost all other cases the fatality is too visible to be doubted or denied.

Though the whole nation is not so directly affected by the depression of property in corporation towns as the inhabitants themselves, it partakes of the consequence. By lessening the value of property, the quantity of national commerce is curtailed. Every man is a customer in proportion to his ability; and as all parts of a nation trade with each other, whatever affects any of the parts must necessarily communicate to the whole.

As one of the Houses of the English Parliament is, in a great measure, made up of elections from these corporations; and as it is unnatural that a pure stream should flow from a foul fountain, its vices are but a continuation of the vices of its origin. A man of moral honour and good political principles cannot submit to the mean drudgery and disgraceful arts, by which such elections are carried. To be a successful candidate, he must be destitute of the qualities that constitute a just legislator: and being thus disciplined to corruption by the mode of entering into Parliament, it is not to be expected that the representative should be better than the man.

Mr. Burke, in speaking of the English representation, has advanced as bold a challenge as ever was given in the days of chivalry. "Our representation," says he, "has been found *perfectly adequate to all the purposes* for which a representation of the people can be desired or devised." "I defy," continues he, "the enemies of our constitution to shew the

the custom of giving, selling, and buying freedom, has more of the nature of garrison authority than civil government. Soldiers are free of all corporations throughout the nation, by the same propriety that every soldier is free of every garrison, and no other persons are. He can follow any employment, with the permission of his officers, in any corporation towns throughout the nation.—*Author.*

contrary."—This declaration from a man who has been in constant opposition to all the measures of parliament the whole of his political life, a year or two excepted, is most extraordinary; and, comparing him with himself, admits of no other alternative, than that he acted against his judgment as a member, or has declared contrary to it as an author.

But it is not in the representation only that the defects lie, and therefore I proceed in the next place to the aristocracy.

What is called the House of Peers, is constituted on a ground very similar to that, against which there is a law in other cases. It amounts to a combination of persons in one common interest. No better reason can be given, why a house of legislation should be composed entirely of men whose occupation consists in letting landed property, than why it should be composed of those who hire, or of brewers, or bakers, or any other separate class of men.

Mr. Burke calls this house "*the great ground and pillar of security to the landed interest.*" Let us examine this idea.

What pillar of security does the landed interest require more than any other interest in the state, or what right has it to a distinct and separate representation from the general interest of a nation? The only use to be made of this power (and which it has always made,) is to ward off taxes from itself, and throw the burthen upon such articles of consumption by which itself would be least affected.

That this has been the consequence, (and will always be the consequence) of constructing governments on combinations, is evident with respect to England, from the history of its taxes.

Notwithstanding taxes have encreased and multiplied upon every article of common consumption, the land-tax, which more particularly affects this "pillar," has diminished. In 1778 the amount of the land-tax was £1,950,000, which is half-a-million less than it produced almost a hundred years ago,* notwithstanding the rentals are in many instances doubled since that period.

* See Sir John Sinclair's *History of the Revenue.* The land tax in 1646 was £2,473,499.—*Author.*

Before the coming of the Hanoverians, the taxes were divided in nearly equal proportions between the land and articles of consumption, the land bearing rather the largest share: but since that æra nearly thirteen millions annually of new taxes have been thrown upon consumption. The consequence of which has been a constant encrease in the number and wretchedness of the poor, and in the amount of the poor-rates. Yet here again the burthen does not fall in equal proportions on the aristocracy with the rest of the community. Their residences, whether in town or country, are not mixed with the habitations of the poor. They live apart from distress, and the expence of relieving it. It is in manufacturing towns and labouring villages that those burthens press the heaviest; in many of which it is one class of poor supporting another.

Several of the most heavy and productive taxes are so contrived, as to give an exemption to this pillar, thus standing in its own defence. The tax upon beer brewed for sale does not affect the aristocracy, who brew their own beer free from this duty. It falls only on those who have not conveniency or ability to brew, and who must purchase it in small quantities. But what will mankind think of the justice of taxation, when they know, that this tax alone, from which the aristocracy are from circumstances exempt, is nearly equal to the whole of the land-tax, being in the year 1788, and it is not less now, £1,666,152, and with its proportion of the taxes on malt and hops, it exceeds it.—That a single article, thus partially consumed, and that chiefly by the working part, should be subject to a tax, equal to that on the whole rental of a nation, is, perhaps, a fact not to be paralleled in the histories of revenues.

This is one of the consequences resulting from a house of legislation, composed on the ground of a combination of common interest; for whatever their separate politics as to parties may be, in this they are united. Whether a combination acts to raise the price of any article for sale, or the rate of wages; or whether it acts to throw taxes from itself upon another class of the community, the principle and the

effect are the same; and if the one be illegal, it will be difficult to shew that the other ought to exist.

It is no use to say, that taxes are first proposed in the house of commons; for as the other house has always a negative, it can always defend itself; and it would be ridiculous to suppose that its acquiescence in the measures to be proposed were not understood before hand. Besides which, it has obtained so much influence by borough-traffic, and so many of its relations and connexions are distributed on both sides the commons, as to give it, besides an absolute negative in one house, a preponderancy in the other, in all matters of common concern.

It is difficult to discover what is meant by the *landed interest*, if it does not mean a combination of aristocratical landholders, opposing their own pecuniary interest to that of the farmer, and every branch of trade, commerce, and manufacture. In all other respects it is the only interest that needs no partial protection. It enjoys the general protection of the world. Every individual, high or low, is interested in the fruits of the earth; men, women, and children, of all ages and degrees, will turn out to assist the farmer, rather than a harvest should not be got in; and they will not act thus by any other property. It is the only one for which the common prayer of mankind is put up, and the only one that can never fail from the want of means. It is the interest, not of the policy, but of the existence of man, and when it ceases, he must cease to be.

No other interest in a nation stands on the same united support. Commerce, manufactures, arts, sciences, and everything else, compared with this, are supported but in parts. Their prosperity or their decay has not the same universal influence. When the valleys laugh and sing, it is not the farmer only, but all creation that rejoice. It is a prosperity that excludes all envy; and this cannot be said of anything else.

Why then, does Mr. Burke talk of his house of peers as the pillar of the landed interest? Were that pillar to sink into the earth, the same landed property would continue,

and the same ploughing, sowing, and reaping would go on. The aristocracy are not the farmers who work the land, and raise the produce, but are the mere consumers of the rent; and when compared with the active world are the drones, a seraglio of males, who neither collect the honey nor form the hive, but exist only for lazy enjoyment.

Mr. Burke, in his first essay, called aristocracy "*the Corinthian capital of polished society.*" Towards compleating the figure, he has now added the pillar; but still the base is wanting; and whenever a nation chuse to act a Samson, not blind, but bold, down will go the temple of Dagon, the Lords and the Philistines.

If a house of legislation is to be composed of men of one class, for the purpose of protecting a distinct interest, all the other interests should have the same. The inequality, as well as the burthen of taxation, arises from admitting it in one case, and not in all. Had there been a house of farmers, there had been no game laws; or a house of merchants and manufacturers, the taxes had neither been so unequal nor so excessive. It is from the power of taxation being in the hands of those who can throw so great a part of it from their own shoulders, that it has raged without a check.

Men of small or moderate estates are more injured by the taxes being thrown on articles of consumption, than they are eased by warding it from landed property, for the following reasons:

First, They consume more of the productive taxable articles, in proportion to their property, than those of large estates.

Secondly, Their residence is chiefly in towns, and their property in houses; and the encrease of the poor-rates, occasioned by taxes on consumption, is in much greater proportion than the land-tax has been favoured. In Birmingham, the poor-rates are not less than seven shillings in the pound. From this, as is already observed, the aristocracy are in a great measure exempt.

These are but a part of the mischiefs flowing from the wretched scheme of an house of peers.

As a combination, it can always throw a considerable portion of taxes from itself; and as an hereditary house, accountable to nobody, it resembles a rotten borough, whose consent is to be courted by interest. There are but few of its members, who are not in some mode or other participators, or disposers of the public money. One turns a candle-holder, or a lord in waiting; another a lord of the bed-chamber, a groom of the stole, or any insignificant nominal office to which a salary is annexed, paid out of the public taxes, and which avoids the direct appearance of corruption. Such situations are derogatory to the character of man; and where they can be submitted to, honour cannot reside.

To all these are to be added the numerous dependants, the long list of younger branches and distant relations, who are to be provided for at the public expence: in short, were an estimation to be made of the charge of aristocracy to a nation, it will be found nearly equal to that of supporting the poor. The Duke of Richmond alone (and there are cases similar to his) takes away as much for himself as would maintain two thousand poor and aged persons. Is it, then, any wonder, that under such a system of government, taxes and rates have multiplied to their present extent?

In stating these matters, I speak an open and disinterested language, dictated by no passion but that of humanity. To me, who have not only refused offers, because I thought them improper, but have declined rewards I might with reputation have accepted, it is no wonder that meanness and imposition appear disgustful. Independence is my happiness, and I view things as they are, without regard to place or person; my country is the world, and my religion is to do good.[1]

[1] The motto of the *Liberator* (Boston, U. S., Jan. 1, 1831) was: "Our country is the world, our countrymen are all mankind." In adopting this motto Garrison was not aware of Paine's sentence above, nor that Paine had been a pioneer in the cause of emancipation in America. The facts were pointed out to me by one of Mr. Garrison's sons. See my "Life of Paine," vol. i., p. 52—*Editor*.

Mr. Burke, in speaking of the aristocratical law of primogeniture, says, "it is the standing law of our landed inheritance; and which, without question, has a tendency, and I think," continues he, "a happy tendency, to preserve a character of weight and consequence."

Mr. Burke may call this law what he pleases, but humanity and impartial reflection will denounce it as a law of brutal injustice. Were we not accustomed to the daily practice, and did we only hear of it as the law of some distant part of the world, we should conclude that the legislators of such countries had not arrived at a state of civilisation.

As to its preserving a character of *weight and consequence*, the case appears to me directly the reverse. It is an attaint upon character; a sort of privateering on family property. It may have weight among dependent tenants, but it gives none on a scale of national, and much less of universal character. Speaking for myself, my parents were not able to give me a shilling, beyond what they gave me in education; and to do this they distressed themselves: yet, I possess more of what is called consequence, in the world, than any one in Mr. Burke's catalogue of aristocrats.

Having thus glanced at some of the defects of the two houses of parliament, I proceed to what is called the crown, upon which I shall be very concise.

It signifies a nominal office of a million sterling a year, the business of which consists in receiving the money. Whether the person be wise or foolish, sane or insane, a native or a foreigner, matters not. Every ministry acts upon the same idea that Mr. Burke writes, namely, that the people must be hood-winked, and held in superstitious ignorance by some bugbear or other; and what is called the crown answers this purpose, and therefore it answers all the purposes to be expected from it. This is more than can be said of the other two branches.

The hazard to which this office is exposed in all countries, is not from anything that can happen to the man, but from what may happen to the nation—the danger of its coming to its senses.

It has been customary to call the crown the executive power, and the custom is continued, though the reason has ceased.[1]

It was called the *executive*, because the person whom it signified used, formerly, to act in the character of a judge, in administering or executing the laws. The tribunals were then a part of the court. The power, therefore, which is now called the judicial, is what was called the executive and, consequently, one or other of the terms is redundant, and one of the offices useless. When we speak of the crown now, it means nothing; it signifies neither a judge nor a general: besides which it is the laws that govern, and not the man. The old terms are kept up, to give an appearance of consequence to empty forms; and the only effect they have is that of increasing expences.

Before I proceed to the means of rendering governments more conducive to the general happiness of mankind, than they are at present, it will not be improper to take a review of the progress of taxation in England.

It is a general idea, that when taxes are once laid on, they are never taken off. However true this may have been of late, it was not always so. Either, therefore, the people of former times were more watchful over government than

[1] The two paragraphs preceding this were omitted by Paine in the cheap edition (Symonds, 1792) with the following in parenthesis: "Those two short paragraphs are taken into the information as prosecutable matter; but on what ground such a prosecution can be supported I am at a loss to discover. Every part of which a government is composed must be alike open to examination and investigation; and where this is not the case the country is not in a state of freedom; for it is only by the free and rational exercise of this right, that errors, impositions, and absurdities can be detected and remedied either in the parts severally, or in the whole.—If there be any part in a government on which the exercise of this right ought to be more fully insisted upon by a nation than on another part, it is on that part for which a nation pays the most money, and which, in England, is called the crown."

It may be noted that the two prosecuted paragraphs might now be quoted by conservatism in favour of the English monarchy, since Paine agrees that it is the laws that govern, and not the man. Practically, he regards retention of the throne as merely a question of expense.—*Editor.*

those of the present, or government was administered with less extravagance.

It is now seven hundred years since the Norman conquest, and the establishment of what is called the crown. Taking this portion of time in seven separate periods of one hundred years each, the amount of annual taxes, at each period, will be as follows—

Annual taxes by William the Conqueror, beginning in the year 1066	£400,000
Annual taxes at 100 years from the conquest (1166)	200,000
Annual taxes at 200 years from the conquest (1266)	150,000
Annual taxes at 300 years from the conquest (1366)	130,000
Annual taxes at 400 years from the conquest (1466)	100,000

These statements and those which follow, are taken from Sir John Sinclair's History of the Revenue; by which it appears, that taxes continued decreasing for four hundred years, at the expiration of which time they were reduced three-fourths, viz., from four hundred thousand pounds to one hundred thousand. The people of England of the present day, have a traditionary and historical idea of the bravery of their ancestors; but whatever their virtues or their vices might have been, they certainly were a people who would not be imposed upon, and who kept governments in awe as to taxation, if not as to principle. Though they were not able to expel the monarchical usurpation, they restricted it to a republican economy of taxes.

Let us now review the remaining three hundred years.

Annual amount of taxes at 500 years from the conquest (1566)	£500,000
Annual amount of taxes at 600 years from the conquest (1666)	1,800,000
Annual amount of taxes at the present time (1791)	17,000,000

The difference between the first four hundred years and the last three, is so astonishing, as to warrant an opinion, that the national character of the English has changed. It would have been impossible to have dragooned the former English, into the excess of taxation that now exists; and when it is considered that the pay of the army, the navy, and of all the revenue officers, is the same now as it was about a hundred years ago, when the taxes were not above a tenth part of what they are at present, it appears impossible to ac-

count for the enormous increase and expenditure on any other ground, than extravagance, corruption, and intrigue.*

With the Revolution of 1688, and more so since the Hanover succession, came the destructive system of continental intrigues, and the rage for foreign wars and foreign dominion; systems of such secure mystery that the expences admit of no accounts; a single line stands for millions. To what excess taxation might have extended, had not the

* Several of the court newspapers have of late made frequent mention of Wat Tyler. That his memory should be traduced by court sycophants and all those who live on the spoil of a public is not to be wondered at. He was, however, the means of checking the rage and injustice of taxation in his time, and the nation owed much to his valour. The history is concisely this:—In the time of Richard II. a poll tax was levied of one shilling per head upon every person in the nation of whatever estate or condition, on poor as well as, rich, above the age of fifteen years. If any favour was shewn in the law it was to the rich rather than to the poor, as no person could be charged more than twenty shillings for himself, family and servants, though ever so numerous; while all other families, under the number of twenty were charged per head. Poll taxes had always been odious, but this being also oppressive and unjust, it excited as it naturally must, universal detestation among the poor and middle classes. The person known by the name of Wat Tyler, whose proper name was Walter, and a tiler by trade, lived at Deptford. The gatherer of the poll tax, on coming to his house, demanded tax for one of his daughters, whom Tyler declared was under the age of fifteen. The tax-gatherer insisted on satisfying himself, and began an indecent examination of the girl, which, enraging the father, he struck him with a hammer that brought him to the ground, and was the cause of his death. This circumstance served to bring the discontent to an issue. The inhabitants of the neighborhood espoused the cause of Tyler, who in a few days was joined, according to some histories, by upwards of fifty thousand men, and chosen their chief. With this force he marched to London, to demand an abolition of the tax and a redress of other grievances. The Court, finding itself in a forlorn condition, and, unable to make resistance, agreed, with Richard at its head, to hold a conference with Tyler in Smithfield, making many fair professions, courtier-like, of its dispositions to redress the oppressions. While Richard and Tyler were in conversation on these matters, each being on horseback, Walworth, then Mayor of London, and one of the creatures of the Court, watched an opportunity, and like a cowardly assassin, stabbed Tyler with a dagger, and two or three others falling upon him, he was instantly sacrificed. Tyler appears to have been an intrepid disinterested man with respect to himself. All his proposals made to Richard were on a more just and public ground than those which had been made to John by the Barons, and notwithstanding the sycophancy of historians and men like Mr. Burke, who seek to gloss over a base action of the Court by traducing Tyler, his fame will outlive their falsehood. If the Barons merited a monument to be erected at Runnymede, Tyler merited one in Smithfield.—*Author.*

French revolution contributed to break up the system, and put an end to pretences, is impossible to say. Viewed, as that revolution ought to be, as the fortunate means of lessening the load of taxes of both countries, it is of as much importance to England as to France; and, if properly improved to all the advantages of which it is capable, and to which it leads, deserves as much celebration in one country as the other.

In pursuing this subject, I shall begin with the matter that first presents itself, that of lessening the burthen of taxes; and shall then add such matter and propositions, respecting the three countries of England, France, and America, as the present prospect of things appears to justify: I mean, an alliance of the three, for the purposes that will be mentioned in their proper place.

What has happened may happen again. By the statement before shown of the progress of taxation, it is seen that taxes have been lessened to a fourth part of what they had formerly been. Though the present circumstances do not admit of the same reduction, yet they admit of such a beginning, as may accomplish that end in less time than in the former case.

The amount of taxes for the year ending at Michaelmas 1788, was as follows: Land-tax, £1,950,000; Customs, 3,789,274; Excise (including old and new malt), 6,751,727; Stamps, 1,278,214; Miscellaneous taxes and incidents, 1,803,755: total, 15,572,970.

Since the year 1788, upwards of one million new taxes have been laid on, besides the produce of the lotteries; and as the taxes have in general been more productive since than before, the amount may be taken, in round numbers, at £17,000,000. (The expence of collection and the drawbacks, which together amount to nearly two millions, are paid out of the gross amount; and the above is the nett sum paid into the exchequer). This sum of seventeen millions is applied to two different purposes; the one to pay the interest of the National Debt, the other to the current expences of each year. About nine millions are appropriated to the former; and the remainder, being nearly eight millions, to the latter. As to

the million, said to be applied to the reduction of the debt, it is so much like paying with one hand and taking out with the other, as not to merit much notice. It happened, fortunately for France, that she possessed national domains for paying off her debt, and thereby lessening her taxes; but as this is not the case with England, her reduction of taxes can only take place by reducing the current expences, which may now be done to the amount of four or five millions annually, as will hereafter appear. When this is accomplished it will more than counter-balance the enormous charge of the American war; and the saving will be from the same source from whence the evil arose. As to the national debt, however heavy the interest may be in taxes, yet, as it serves to keep alive a capital useful to commerce, it balances by its effects a considerable part of its own weight; and as the quantity of gold and silver is, by some means or other, short of its proper proportion, being not more than twenty millions, whereas it should be sixty, (foreign intrigue, foreign wars, foreign dominions, will in a great measure account for the deficiency), it would, besides the injustice, be bad policy to extinguish a capital that serves to supply that defect. But with respect to the current expense, whatever is saved therefrom is gain. The excess may serve to keep corruption alive, but it has no re-action on credit and commerce, like the interest of the debt.

It is now very probable that the English Government (I do not mean the nation) is unfriendly to the French Revolution. Whatever serves to expose the intrigue and lessen the influence of courts, by lessening taxation, will be unwelcome to those who feed upon the spoil. Whilst the clamour of French intrigue, arbitrary power, popery, and wooden shoes could be kept up, the nation was easily allured and alarmed into taxes. Those days are now past: deception, it is to be hoped, has reaped its last harvest, and better times are in prospect for both countries, and for the world.

Taking it for granted that an alliance may be formed between England, France, and America for the purposes hereafter to be mentioned, the national expences of France and England may consequently be lessened. The same

fleets and armies will no longer be necessary to either, and the reduction can be made ship for ship on each side. But to accomplish these objects the governments must necessarily be fitted to a common and correspondent principle. Confidence can never take place while an hostile disposition remains in either, or where mystery and secrecy on one side is opposed to candour and openness on the other.

These matters admitted, the national expences might be put back, *for the sake of a precedent*, to what they were at some period when France and England were not enemies. This, consequently, must be prior to the Hanover succession, and also to the Revolution of 1688.* The first instance that presents itself, antecedent to those dates, is in

* I happened to be in England at the celebration of the centenary of the Revolution of 1688. The characters of William and Mary have always appeared to be detestable; the one seeking to destroy his uncle, and the other her father, to get possession of power themselves; yet, as the nation was disposed to think something of that event, I felt hurt at seeing it ascribe the whole reputation of it to a man who had undertaken it as a jobb, and who, besides what he otherwise got, charged six hundred thousand pounds for the expence of the fleet that brought him from Holland. George the First acted the same close-fisted part as William had done, and bought the Duchy of Bremen with the money he got from England, two hundred and fifty thousand pounds over and above his pay as king, and having thus purchased it at the expence of England, added it to his Hanoverian dominions for his own private profit. In fact, every nation that does not govern itself is governed as a jobb. England has been the prey of jobbs ever since the Revolution.—*Author.*

For the above footnote the following was substituted by Paine in the cheap edition (Symonds, 1792.):

"On page 116 of the original edition of this work is a note in which similar remarks are made on the characters of William and Mary, the one fighting against his uncle, and the other against her own father, as have been made by other writers. Dr. Johnson, I believe, even while he was a pensioner of the present court, expressed himself in stronger terms of disapprobation than I have done. Why a change of policy has now taken place, of prosecuting at this time, what was permitted and apparently encouraged at another time, the persons concerned can best explain. In the same note it is stated that William charged six hundred thousand pounds for the expences of the Dutch fleet that brought him from Holland; and that George the First purchased the Duchies of Bremen and Verden with two hundred and fifty thousand pounds, which he got from England, and added them to his Hanoverian dominions for his own use. The note in which these matters are contained are put into the prosecution; but for what purpose I do not discover.

"The bill of costs delivered in for the Dutch fleet, as stated in Sir John Sin-

the very wasteful and profligate times of Charles the Second; at which time England and France acted as allies. If I have chosen a period of great extravagance, it will serve to shew modern extravagance in a still worse light; especially as the pay of the navy, the army, and the revenue officers has not encreased since that time.

The peace establishment was then as follows (see Sir John Sinclair's History of the Revenue):—

Navy	£300,000
Army	212,000
Ordnance	40,000
Civil List	462,115
	£1,014,115

The parliament, however, settled the whole annual peace establishment at $1,200,000.* If we go back to the time of Elizabeth the amount of all the taxes was but half a million, yet the nation sees nothing during that period that reproaches it with want of consequence.

All circumstances, then, taken together, arising from the French revolution, from the approaching harmony and reciprocal interest of the two nations, the abolition of the court intrigue on both sides, and the progress of knowledge in the science of government, the annual expenditure might be put back to one million and a half, viz:—

clair's History of the Revenue (Part the third, p. 40) was 686.500*l*, and was reduced to 600,000 by parliament. And in 1701 the House of Commons came to a resolution, by which it appears that William was not very scrupulous or very careful in his expenditure of English money. The resolution is as follows:—'That it is notorious that many millions of money had been given to his majesty [meaning the said William] for the service of the public, which remain yet unaccounted for.' See the Journal.

"As to the purchase of Bremen and Verden, with the money obtained from England, by George the First, the Journals of Parliament will prove the fact, and the opposition it met with in parliament will shew the manner in which it was very generally considered by the faction."

* Charles, like his predecessors and successors, finding that war was the harvest of governments, engaged in a war with the Dutch, the expence of which encreased the annual expenditure to £1,800,000, as stated under the date of 1666; but the peace establishment was but £1,200,000.—*Author.*

Navy.....	£500,000
Army.....	500,000
Expences of Government.....	500,000
	£1,500,000

Even this sum is six times greater than the expences of government are in America, yet the civil internal government in England (I mean that administered by means of quarter sessions, juries and assize, and which, in fact, is nearly the whole, and performed by the nation), is less expence upon the revenue, than the same species and portion of government is in America.

It is time that nations should be rational, and not be governed like animals, for the pleasure of their riders. To read the history of kings, a man would be almost inclined to suppose that government consisted in stag-hunting, and that every nation paid a million a-year to a huntsman. Man ought to have pride, or shame enough to blush at being thus imposed upon, and when he feels his proper character he will. Upon all subjects of this nature, there is often passing in the mind, a train of ideas he has not yet accustomed himself to encourage and communicate. Restrained by something that puts on the character of prudence, he acts the hypocrite upon himself as well as to others. It is, however, curious to observe how soon this spell can be dissolved. A single expression, boldly conceived and uttered, will sometimes put a whole company into their proper feelings: and whole nations are acted on in the same manner.

As to the offices of which any civil government may be composed, it matters but little by what names they are described. In the rotine of business, as before observed, whether a man be styled a president, a king, an emperor, a senator, or anything else, it is impossible that any service he can perform, can merit from a nation more than ten thousand pounds a year; and as no man should be paid beyond his services, so every man of a proper heart will not accept more. Public money ought to be touched with the most

scrupulous consciousness of honour. It is not the produce of riches only, but of the hard earnings of labour and poverty. It is drawn even from the bitterness of want and misery. Not a beggar passes, or perishes in the streets, whose mite is not in that mass.

Were it possible that the Congress of America, could be so lost to their duty, and to the interest of their constituents, as to offer General Washington, as president of America, a million a year, he would not, and he could not, accept it. His sense of honour is of another kind. It has cost England almost seventy millions sterling, to maintain a family imported from abroad, of very inferior capacity to thousands in the nation; and scarcely a year has passed that has not produced some new mercenary application. Even the physicians' bills have been sent to the public to be paid. No wonder that jails are crowded, and taxes and poor rates encreased. Under such systems, nothing is to be looked for but what has already happened; and as to reformation, whenever it come, it must be from the nation, and not from the government.

To shew that the sum of five hundred thousand pounds is more than sufficient to defray all the expences of the government, exclusive of navies and armies, the following estimate is added, for any country, of the same extent as England.

In the first place, three hundred representatives fairly elected, are sufficient for all the purposes to which legislation can apply, and preferable to a larger number. They may be divided into two or three houses, or meet in one, as in France, or in any manner a constitution shall direct.

As representation is always considered, in free countries, as the most honourable of all stations, the allowance made to it is merely to defray the expence which the representatives incur by that service, and not to it as an office.

If an allowance, at the rate of five hundred pounds per annum, be made to every representative, deducting for non-attendance, the expence, if the whole number attended for six months, each year, would be..... £75,000

The official departments cannot reasonably exceed the following number, with the salaries annexed:—

Three offices at ten thousand pounds each	£30,000
Ten ditto, at five thousand pounds each	50,000
Twenty ditto, at two thousand pounds each	40,000
Forty ditto, at one thousand pounds each	40,000
Two hundred ditto, at five hundred pounds each	100,000
Three hundred ditto, at two hundred pounds each	60,000
Five hundred ditto, at one hundred pounds each	50,000
Seven hundred ditto, at seventy five pounds each	52,500
	£497,500

If a nation chuse, it can deduct four *per cent.* from all offices, and make one of twenty thousand *per annum.*

All revenue officers are paid out of the monies they collect, and therefore, are not in this estimation.

The foregoing is not offered as an exact detail of offices. but to shew the number of rate of salaries which five hundred thousand pounds will support; and it will, on experience, be found impracticable to find business sufficient to justify even this expence. As to the manner in which office business is now performed, the Chiefs, in several offices, such as the post-office, and certain offices in the exchequer, etc., do little more than sign their names three or four times a year; and the whole duty is performed by under-clerks.

Taking, therefore, one million and a half as a sufficient peace establishment for all the honest purposes of government, which is three hundred thousand pounds more than the peace establishment in the profligate and prodigal times of Charles the Second (notwithstanding, as has been already observed, the pay and salaries of the army, navy, and revenue officers, continue the same as at that period), there will remain a surplus of upwards of six millions out of the present current expences. The question then will be, how to dispose of this surplus.

Whoever has observed the manner in which trade and taxes twist themselves together, must be sensible of the impossibility of separating them suddenly.

First. Because the articles now on hand are already

charged with the duty, and the reduction cannot take place on the present stock.

Secondly. Because, on all those articles on which the duty is charged in the gross, such as *per* barrel, hogshead, hundred weight, or ton, the abolition of the duty does not admit of being divided down so as fully to relieve the consumer, who purchases by the pint, or the pound. The last duty laid on strong beer and ale, was three shillings *per* barrel, which, if taken off, would lessen the purchase only half a farthing *per* pint, and consequently, would not reach to practical relief.

This being the condition of a great part of the taxes, it will be necessary to look for such others as are free from this embarrassment and where the relief will be direct and visible, and capable of immediate operation.

In the first place, then, the poor-rates are a direct tax which every housekeeper feels, and who knows also, to a farthing, the sum which he pays. The national amount of the whole of the poor-rates is not positively known, but can be procured. Sir John Sinclair, in his History of the Revenue has stated it at £2,100,587. A considerable part of which is expended in litigations, in which the poor, instead of being relieved, are tormented. The expence, however, is the same to the parish from whatever cause it arises.

In Birmingham, the amount of poor-rates is fourteen thousand pounds a year. This, though a large sum, is moderate, compared with the population. Birmingham is said to contain seventy thousand souls, and on a proportion of seventy thousand to fourteen thousand pounds poor-rates, the national amount of poor-rates, taking the population of England as seven millions, would be but one million four hundred thousand pounds. It is, therefore, most probable, that the population of Birmingham is over-rated. Fourteen thousand pounds is the proportion upon fifty thousand souls, taking two millions of poor-rates, as the national amount.

Be it, however, what it may, it is no other than the consequence of excessive burthen of taxes, for, at the time when the taxes were very low, the poor were able to main-

tain themselves ; and there were no poor-rates.* In the present state of things a laboring man, with a wife or two or three children, does not pay less than between seven and eight pounds a year in taxes. He is not sensible of this, because it is disguised to him in the articles which he buys, and he thinks only of their dearness ; but as the taxes take from him, at least, a fourth part of his yearly earnings, he is consequently disabled from providing for a family, especially, if himself, or any of them, are afflicted with sickness.

The first step, therefore, of practical relief, would be to abolish the poor-rates entirely, and in lieu thereof, to make a remission of taxes to the poor of double the amount of the present poor-rates, viz., four millions annually out of the surplus taxes. By this measure, the poor would be benefited two millions, and the house-keepers two millions. This alone would be equal to a reduction of one hundred and twenty millions of the National Debt, and consequently equal to the whole expence of the American War.

It will then remain to be considered, which is the most effectual mode of distributing this remission of four millions.

It is easily seen, that the poor are generally composed of large families of children, and old people past their labour. If these two classes are provided for, the remedy will so far reach to the full extent of the case, that what remains will be incidental, and, in a great measure, fall within the compass of benefit clubs, which, though of humble invention, merit to be ranked among the best of modern institutions.

Admitting England to contain seven millions of souls ; if one-fifth thereof are of that class of poor which need support, the number will be one million four hundred thousand. Of this number, one hundred and forty thousand will be aged poor, as will be hereafter shewn, and for which a distinct provision will be proposed.

There will then remain one million two hundred and sixty thousand which, at five souls to each family, amount to two

* Poor rates began about the time of Henry VIII., when the taxes began to encrease, and they have encreased as the taxes encreased ever since.—*Author.*

hundred and fifty-two thousand families, rendered poor from the expence of children and the weight of taxes.

The number of children under fourteen years of age, in each of those families, will be found to be about five to every two families; some having two, and others three; some one, and others four: some none, and others five; but it rarely happens that more than five are under fourteen years of age, and after this age they are capable of service or of being apprenticed.

Allowing five children (under fourteen years) to every two families,

The number of children will be.....	630,000
The number of parents, were they all living, would be....	504,000

It is certain, that if the children are provided for, the parents are relieved of consequence, because it is from the expence of bringing up children that their poverty arises.

Having thus ascertained the greatest number that can be supposed to need support on account of young families, I proceed to the mode of relief or distribution, which is,

To pay as a remission of taxes to every poor family, out of the surplus taxes, and in room of poor-rates, four pounds a year for every child under fourteen years of age; enjoining the parents of such children to send them to school, to learn reading, writing, and common arithmetic; the ministers of every parish, of every denomination to certify jointly to an office, for that purpose, that this duty is performed. The amount of this expence will be,

For six hundred and thirty thousand children at £4 *per annum* each.....	£2,520,000

By adopting this method, not only the poverty of the parents will be relieved, but ignorance will be banished from the rising generation, and the number of poor will hereafter become less, because their abilities, by the aid of education, will be greater. Many a youth, with good natural genius, who is apprenticed to a mechanical trade, such as a carpenter, joiner, millwright, shipwright, blacksmith, etc., is pre-

vented getting forward the whole of his life from the want of a little common education when a boy.

I now proceed to the case of the aged.

I divide age into two classes. First, the approach of age, beginning at fifty. Secondly, old age commencing at sixty.

At fifty, though the mental faculties of man are in full vigor, and his judgment better than at any preceding date, the bodily powers for laborious life are on the decline. He cannot bear the same quantity of fatigue as at an earlier period. He begins to earn less, and is less capable of enduring wind and weather; and in those more retired employments where much sight is required, he fails apace, and sees himself, like an old horse, beginning to be turned adrift.

At sixty his labour ought to be over, at least from direct necessity. It is painful to see old age working itself to death, in what are called civilised countries, for daily bread.

To form some judgment of the number of those above fifty years of age, I have several times counted the persons I met in the streets of London, men, women, and children, and have generally found that the average is about one in sixteen or seventeen. If it be said that aged persons do not come much into the streets, so neither do infants; and a great proportion of grown children are in schools and in work-shops as apprentices. Taking, then, sixteen for a divisor, the whole number of persons in England of fifty years and upwards, of both sexes, rich and poor, will be four hundred and twenty thousand.

The persons to be provided for out of this gross number will be husbandmen, common labourers, journeymen of every trade and their wives, sailors, and disbanded soldiers, worn out servants of both sexes, and poor widows.

There will be also a considerable number of middling tradesmen, who having lived decently in the former part of life, begin, as age approaches, to lose their business, and at last fall to decay.

Besides these there will be constantly thrown off from the revolutions of that wheel which no man can stop nor regu-

late, a number from every class of life connected with commerce and adventure.

To provide for all those accidents, and whatever else may befal, I take the number of persons who, at one time or other of their lives, after fifty years of age, may feel it necessary or comfortable to be better supported, than they can support themselves, and that not as a matter of grace and favour, but of right, at one-third of the whole number, which is one hundred and forty thousand, as stated in a previous page, and for whom a distinct provision was proposed to be made. If there be more, society, notwithstanding the shew and pomposity of government, is in a deplorable condition in England.

Of this one hundred and forty thousand, I take one half, seventy thousand, to be of the age of fifty and under sixty, and the other half to be sixty years and upwards. Having thus ascertained the probable proportion of the number of aged persons, I proceed to the mode of rendering their condition comfortable, which is:

To pay to every such person of the age of fifty years, and until he shall arrive at the age of sixty, the sum of six pounds *per annum* out of the surplus taxes, and ten pounds *per annum* during life after the age of sixty. The expence of which will be,

Seventy thousand persons, at £6 *per annum*.....	£420,000
Seventy thousand ditto, at £10 *per annum*.....	700,000
	£1,120,000

This support, as already remarked, is not of the nature of a charity but of a right. Every person in England, male and female, pays on an average in taxes two pounds eight shillings and six pence *per annum* from the day of his (or her) birth; and, if the expence of collection be added, he pays two pounds eleven shillings and sixpence; consequently, at the end of fifty years he has paid one hundred and twenty-eight pounds fifteen shillings; and at sixty one hundred and fifty-four pounds ten shillings. Converting, therefore, his (or her) individual tax in a tontine, the money

he shall receive after fifty years is but little more than the legal interest of the nett money he has paid; the rest is made up from those whose circumstances do not require them to draw such support, and the capital in both cases defrays the expences of government. It is on this ground that I have extended the probable claims to one-third of the number of aged persons in the nation.—Is it, then, better that the lives of one hundred and forty thousand aged persons be rendered comfortable, or that a million a year of public money be expended on any one individual, and him often of the most worthless or insignificant character? Let reason and justice, let honor and humanity, let even hypocrisy, sycophancy and Mr. Burke, let George, let Louis, Leopold, Frederic, Catherine, Cornwallis, or Tippoo Saib, answer the question.*

The sum thus remitted to the poor will be,

To two hundred and fifty-two thousand poor families, containing six hundred and thirty thousand children....	£2,520,000
To one hundred and forty thousand aged persons.....	1,120,000
	£3,640,000

There will then remain three hundred and sixty thousand

* Reckoning the taxes by families, five to a family, each family pays on an average £12 17s. 6d. *per annum*. To this sum are to be added the poor rates. Though all pay taxes in the articles they consume, all do not pay poor rates. About two millions are exempted—some as not being housekeepers, others as not being able, and the poor themselves who receive the relief. The average, therefore, of poor rates on the remaining number, is forty shillings for every family of five persons, which make the whole average amount of taxes and rates £14 17s. 6d. For six persons £17 17s. For seven persons £20 16s. 6d.

The average of taxes in America, under the new or representative system of government, including the interest of the debt contracted in the war, and taking the population at four millions of souls, which it now amounts to, and it is daily encreasing, is five shillings per head, men, women, and children. The difference, therefore, between the two governments is as under:—

	England			America		
	£	s.	d.	£	s.	d.
For a family of five persons	14	17	6	1	5	0
For a family of six persons.....	17	17	0	1	10	0
For a family of seven persons.....	20	16	6	1	15	0

—*Author.*

pounds out of the four millions, part of which may be applied as follows:—

After all the above cases are provided for there will still be a number of families who, though not properly of the class of poor, yet find it difficult to give education to their children; and such children, under such a case, would be in a worse condition than if their parents were actually poor. A nation under a well-regulated government should permit none to remain uninstructed. It is monarchical and aristocratical government only that requires ignorance for its support.

Suppose, then, four hundred thousand children to be in this condition, which is a greater number than ought to be supposed after the provisions already made, the method will be:

To allow for each of those children ten shillings a year for the expense of schooling for six years each, which will give them six months schooling each year, and half a crown a year for paper and spelling books.

The expense of this will be annually £250,000.*

There will then remain one hundred and ten thousand pounds.

Notwithstanding the great modes of relief which the best instituted and best principled government may devise, there will be a number of smaller cases, which it is good policy as well as beneficence in a nation to consider.

Were twenty shillings to be given immediately on the birth

* Public schools do not answer the general purpose of the poor. They are chiefly in corporation towns from which the country towns and villages are excluded, or, if admitted, the distance occasions a great loss of time. Education, to be useful to the poor, should be on the spot, and the best method, I believe, to accomplish this is to enable the parents to pay the expenses themselves. There are always persons of both sexes to be found in every village, especially when growing into years, capable of such an undertaking. Twenty children at ten shillings each (and that not more than six months each year) would be as much as some livings amount to in the remotest parts of England, and there are often distressed clergymen's widows to whom such an income would be acceptable. Whatever is given on this account to children answers two purposes. To them it is education—to those who educate them it is a livelihood.—*Author*.

of a child, to every woman who should make the demand, and none will make it whose circumstances do not require it, it might relieve a great deal of instant distress.

There are about two hundred thousand births yearly in England; and if claimed by one fourth,

The amount would be.....£50,000

And twenty shillings to every new-married couple who should claim in like manner. This would not exceed the sum of £20,000.

Also twenty thousand pounds to be appropriated to defray the funeral expences of persons, who, travelling for work, may die at a distance from their friends. By relieving parishes from this charge, the sick stranger will be better treated.

I shall finish this part of the subject with a plan adapted to the particular condition of a metropolis, such as London.

Cases are continually occurring in a metropolis, different from those which occur in the country, and for which a different, or rather an additional, mode of relief is necessary. In the country, even in large towns, people have a knowledge of each other, and distress never rises to that extreme height it sometimes does in a metropolis. There is no such thing in the country as persons, in the literal sense of the word, starved to death, or dying with cold from the want of a lodging. Yet such cases, and others equally as miserable, happen in London.

Many a youth comes up to London full of expectations, and with little or no money, and unless he get immediate employment he is already half undone; and boys bred up in London without any means of a livelihood, and as it often happens of dissolute parents, are in a still worse condition; and servants long out of place are not much better off. In short, a world of little cases is continually arising, which busy or affluent life knows not of, to open the first door to distress. Hunger is not among the postponable wants, and a day, even a few hours, in such a condition is often the crisis of a life of ruin.

These circumstances which are the general cause of the

little thefts and pilferings that lead to greater, may be prevented. There yet remain twenty thousand pounds out of the four millions of surplus taxes, which with another fund hereafter to be mentioned, amounting to about twenty thousand pounds more, cannot be better applied than to this purpose. The plan will then be:

First,—To erect two or more buildings, or take some already erected, capable of containing at least six thousand persons, and to have in each of these places as many kinds of employment as can be contrived, so that every person who shall come may find something which he or she can do.

Secondly,—To receive all who shall come, without enquiring who or what they are. The only condition to be, that for so much, or so many hours' work, each person shall receive so many meals of wholesome food, and a warm lodging, at least as good as a barrack. That a certain portion of what each person's work shall be worth shall be reserved, and given to him or her, on their going away; and that each person shall stay as long or as short a time, or come as often as he chuse, on these conditions.

If each person staid three months, it would assist by rotation twenty-four thousand persons annually, though the real number, at all times, would be but six thousand. By establishing an asylum of this kind, such persons to whom temporary distresses occur, would have an opportunity to recruit themselves, and be enabled to look out for better employment.

Allowing that their labor paid but one half the expence of supporting them, after reserving a portion of their earnings for themselves, the sum of forty thousand pounds additional would defray all other charges for even a greater number than six thousand.

The fund very properly convertible to this purpose, in addition to the twenty thousand pounds, remaining of the former fund, will be the produce of the tax upon coals, so iniquitously and wantonly applied to the support of the Duke of Richmond. It is horrid that any man, more especially at the price coals now are, should live on the distresses of a

community ; and any government permitting such an abuse, deserves to be dismissed. This fund is said to be about twenty thousand pounds *per annum.*

I shall now conclude this plan with enumerating the several particulars, and then proceed to other matters.

The enumeration is as follows :—

First—Abolition of two millions poor-rates.

Secondly—Provision for two hundred and fifty thousand poor families.

Thirdly—Education for one million and thirty thousand children.

Fourthly—Comfortable provision for one hundred and forty thousand aged persons.

Fifthly—Donation of twenty shillings each for fifty thousand births.

Sixthly—Donation of twenty shillings each for twenty thousand marriages.

Seventhly—Allowance of twenty thousand pounds for the funeral expences of persons travelling for work, and dying at a distance from their friends.

Eighthly—Employment, at all times, for the casual poor in the cities of London and Westminster.

By the operation of this plan, the poor laws, those instruments of civil torture, will be superseded, and the wasteful expence of litigation prevented. The hearts of the humane will not be shocked by ragged and hungry children, and persons of seventy and eighty years of age, begging for bread. The dying poor will not be dragged from place to place to breathe their last, as a reprisal of parish upon parish. Widows will have a maintenance for their children, and not be carted away, on the death of their husbands, like culprits and criminals ; and children will no longer be considered as encreasing the distresses of their parents. The haunts of the wretched will be known, because it will be to their advantage ; and the number of petty crimes, the offspring of distress and poverty, will be lessened. The poor, as well as the rich, will then be interested in the support of government, and the cause and apprehension of riots and tumults

will cease.—Ye who sit in ease, and solace yourselves in plenty, and such there are in Turkey and Russia, as well as in England, and who say to yourselves, "Are we not well off?" have ye thought of these things? When ye do, ye will cease to speak and feel for yourselves alone.

The plan is easy in practice. It does not embarrass trade by a sudden interruption in the order of taxes, but effects the relief by changing the application of them; and the money necessary for the purpose can be drawn from the excise collections, which are made eight times a year in every market town in England.

Having now arranged and concluded this subject, I proceed to the next.

Taking the present current expences at seven millions and an half, which is the least amount they are now at, there will remain (after the sum of one million and an half be taken for the new current expenses and four millions for the beforementioned service) the sum of two millions; part of which to be applied as follows:

Though fleets and armies, by an alliance with France, will, in a great measure, become useless, yet the persons who have devoted themselves to those services, and have thereby unfitted themselves for other lines of life, are not to be sufferers by the means that make others happy. They are a different description of men from those who form or hang about a court.

A part of the army will remain, at least for some years, and also of the navy, for which a provision is already made in the former part of this plan of one million, which is almost half a million more than the peace establishment of the army and navy in the prodigal times of Charles the Second.

Suppose, then, fifteen thousand soldiers to be disbanded, and that an allowance be made to each of three shillings a week during life, clear of all deductions, to be paid in the same manner as the Chelsea College pensioners are paid, and for them to return to their trades and their friends; and also that an addition of fifteen thousand sixpences per week be

made to the pay of the soldiers who shall remain; the annual expences will be, to the pay of—

Fifteen thousand disbanded soldiers at 3s. per week	£117,000
Additional pay to the remaining soldiers	19,000
Suppose that the pay to the officers of the disbanded corps be the same amount as to the men	117,000
To prevent bulky estimations, admit the same sum to the disbanded navy as to the army, and the same increase of pay	253,500
Total	£507,000

Every year some part of this sum of half a million (I omit the odd seven thousand pounds for the purpose of keeping the account unembarrassed) will fall in, and the whole of it in time, as it is on the ground of life annuities, except the encreased pay of twenty-nine thousand pounds. As it falls in, part of the taxes may be taken off; and as, for instance, when thirty thousand pounds fall in, the duty on hops may be wholly taken off; and as other parts fall in, the duties on candles and soap may be lessened, till at last they will totally cease. There now remains at least one million and a half of surplus taxes.

The tax on houses and windows is one of those direct taxes, which, like the poor rates, is not confounded with trade; and, when taken off, the relief will be instantly felt. This tax falls heavy on the middle class of people. The amount of this tax, by the returns of 1788, was: by the act of 1766, £385,459 11 7; by the act of 1779, £130,739 14 5½; total, £516,199 6 0½.

If this tax be struck off, there will then remain about one million of surplus taxes; and as it is always proper to keep a sum in reserve, for incidental matters, it may be best not to extend reductions further in the first instance, but to consider what may be accomplished by other modes of reform.

Among the taxes most heavily felt is the commutation-tax. I shall therefore offer a plan for its abolition, by substituting another in its place, which will effect three objects at once: 1, that of removing the burthen to where it can best be borne; 2, restoring justice among families by a distribution of property; 3, extirpating the overgrown influence

arising from the unnatural law of primogeniture, which is one of the principal sources of corruption at elections. The amount of commutation-tax by the returns of 1788, was £771,657.

When taxes are proposed, the country is amused by the plausible language of taxing luxuries. One thing is called a luxury at one time, and something else at another; but the real luxury does not consist in the article, but in the means of procuring it, and this is always kept out of sight.

I know not why any plant or herb of the field should be a greater luxury in one country than another; but an overgrown estate in either is a luxury at all times, and, as such, is the proper object of taxation. It is, therefore, right to take those kind tax-making gentlemen up on their own word, and argue on the principle themselves have laid down, that of *taxing luxuries*. If they or their champion, Mr. Burke, who, I fear, is growing out of date, like the man in armor, can prove that an estate of twenty, thirty, or forty thousand pounds a year is not a luxury, I will give up the argument.

Admitting that any annual sum, say, for instance, one thousand pounds, is necessary or sufficient for the support of a family, consequently the second thousand is of the nature of a luxury, the third still more so, and by proceeding on, we shall at last arrive at a sum that may not improperly be called a prohibitable luxury. It would be impolitic to set bounds to property acquired by industry, and therefore it is right to place the prohibition beyond the probable acquisition to which industry can extend; but there ought to be a limit to property or the accumulation of it by bequest. It should pass in some other line. The richest in every nation have poor relations, and those often very near in consanguinity.

The following table of progressive taxation is constructed on the above principles, and as a substitute for the commutation tax. It will reach the point of prohibition by a regular operation, and thereby supercede the aristocratical law of primogeniture.

TABLE I.

A tax on all estates of the clear yearly value of £50, after deducting the land tax, and up

	s.	d.	per pound
To £500 ..	0	3	"
From £500 to £1,000..	0	6	"
On the second thousand.	0	9	"
On the third "	1	0	"
On the fourth "	1	6	"
On the fifth "	2	0	"
On the sixth "	3	0	"
On the seventh "	4	0	"
On the eighth "	5	0	"
On the ninth "	6	0	"
On the tenth "	7	0	"
On the eleventh "	8	0	"
On the twelfth thousand	9	0	"
On the thirteenth "	10	0	"
On the fourteenth "	11	0	"
On the fifteenth "	12	0	"
On the sixteenth "	13	0	"
On the seventeenth "	14	0	"
On the eighteenth "	15	0	"
On the nineteenth "	16	0	"
On the twentieth "	17	0	"
On the twenty-first "	18	0	"
On the twenty-second "	19	0	"
On the twenty-third "	20	0	"

The foregoing table shows the progression per pound on every progressive thousand. The following table shows the amount of the tax on every thousand separately, and in the last column the total amount of all the separate sums collected.

TABLE II.

An estate of						
£50 *per annum*, at 3d., pays,	£0	12	6	£300 *per annum*, at 3d., pays,	£3	15	0
100 " " "	1	5	0	400 " " "	5	0	0
200 " " "	2	10	0	500 " " "	7	5	0

After £500, the tax of 6d. per pound takes place on the second £500; consequently an estate of £1,000 *per annum* pays £21, 15s, and so on.

For the	£	s.	d.	£	s.	£	s.
1st £500 at	0	3—		7	5	21	15
2nd "	0	6—		14	10		
2nd 1000 at	0	9—		37	11	59	5
3rd "	1	0—		50	0	109	5
4th "	1	6—		75	0	184	5
5th "	2	0—		100	0	284	5
6th "	3	0—		150	0	434	5
7th "	4	0—		200	0	634	5
8th "	5	0—		250	0	880	5
9th "	6	0—		300	0	1100	5
10th "	7	0—		350	0	1530	5
11th "	8	0—		400	0	1930	5
12th 1000 at	9	0—		450	0	2380	5
13th "	10	0—		500	0	2880	5
14th "	11	0—		550	0	3430	5
15th "	12	0—		600	0	4030	5
16th "	13	0—		650	0	4680	5
17th "	14	0—		700	0	5380	5
18th "	15	0—		750	0	6130	5
19th "	16	0—		800	0	6930	5
20th "	17	0—		850	0	7780	5
21st "	18	0—		900	0	8680	5
22nd "	19	0—		950	0	9630	5
23rd "	20	0—		1000	0	10630	5

At the twenty-third thousand the tax becomes 20s. in the pound, and consequently every thousand beyond that sum can produce no profit but by dividing the estate. Yet formidable as this tax appears, it will not, I believe, produce so much as the commutation tax; should it produce more, it ought to be lowered to that amount upon estates under two or three thousand a year.

On small and middling estates it is lighter (as it is intended to be) than the commutation tax. It is not till after seven or eight thousand a-year, that it begins to be heavy. The object is not so much the produce of the tax as the justice of the measure. The aristocracy has screened itself too much, and this serves to restore a part of the lost equilibrium.

As an instance of its screening itself, it is only necessary to look back to the first establishment of the excise laws, at what is called the Restoration, or the coming of Charles the Second. The aristocratical interest then in power, commuted the feudal services itself was under, by laying a tax on beer brewed for sale; that is, they compounded with Charles for an exemption from those services for themselves and their heirs, by a tax to be paid by other people. The aristocracy do not purchase beer brewed for sale, but brew their own beer free of the duty, and if any commutation at that time were necessary, it ought to have been at the expence of those for whom the exemptions from those services were intended*; instead of which, it was thrown on an entirely different class of men.

But the chief object of this progressive tax (besides the justice of rendering taxes more equal than they are) is, as already stated, to extirpate the overgrown influence arising from the unnatural law of primogeniture, and which is one of the principal sources of corruption at elections.

It would be attended with no good consequences to enquire how such vast estates as thirty, forty, or fifty thou-

* The tax on beer brewed for sale, from which the aristocracy are exempt, is almost one million more than the present commutation tax, being by the returns of 1788, 1,666,152*l.*—and, consequently, they ought to take on themselves the amount of the commutation tax, as they are already exempted from one which is almost a million greater.

sand a-year could commence, and that at a time when commerce and manufactures were not in a state to admit of such acquisitions. Let it be sufficient to remedy the evil by putting them in a condition of descending again to the community by the quiet means of apportioning them among all the heirs and heiresses of those families. This will be the more necessary, because hitherto the aristocracy have quartered their younger children and connexions upon the public in useless posts, places and offices, which when abolished will leave them destitute, unless the law of primogeniture be also abolished or superceded.

A progressive tax will, in a great measure, effect this object, and that as a matter of interest to the parties most immediately concerned, as will be seen by the following table; which shews the nett produce upon every estate, after subtracting the tax. By this it will appear, that after an estate exceeds thirteen or fourteen thousand a-year, the remainder produces but little profit to the holder, and consequently, will pass either to the younger children, or to other kindred.

TABLE III.

Shewing the nett produce of every estate from one thousand to twenty-three thousand pounds a year.

No. of thousands per ann.	Total tax subtracted.	Nett produce.
1000*l.*	21*l.*	979*l.*
2000	59	1941
3000	109	2891
4000	184	3861
5000	284	4716
6000	434	5566
7000	634	6366
8000	880	7120
9000	1100	7820
10,000	1530	8470
11,000	1930	9070
12,000	2380	9620
13,000	2880	10,120
14,000	3430	10,570
15,000	4030	10,970
16,000	4680	11,320
17,000	5380	11,620
18,000	6130	11,870
19,000	6930	12,170
20,000	7780	12,220
21,000	8680	12,320
22,000	9630	12,370
23,000	10,630	12,370

N. B. The odd shillings are dropped in this table.

According to this table, an estate cannot produce more than 12,370*l.* clear of the land tax and the progressive tax, and therefore the dividing such estates will follow as a matter of family interest. An estate of 23,000*l.* a year, divided into five estates of four thousand each and one of three, will be charged only 1129*l.* which is but five *per cent.*, but if held by one possessor, will be charged 10,630*l.*

Although an enquiry into the origin of those estates be unnecessary, the continuation of them in their present state is another subject. It is a matter of national concern. As hereditary estates, the law has created the evil, and it ought also to provide the remedy. Primogeniture ought to be abolished, not only because it is unnatural and unjust, but because the country suffers by its operation. By cutting off (as before observed) the younger children from their proper portion of inheritance, the public is loaded with the expence of maintaining them; and the freedom of elections violated by the overbearing influence which this unjust monoply of family property produces. Nor is this all. It occasions a waste of national property. A considerable part of the land of the country is rendered unproductive, by the great extent of parks and chases which this law serves to keep up, and this at a time when the annual production of grain is not equal to the national consumption.*—In short, the evils of the aristocratical system are so great and numerous, so inconsistent with every thing that is just, wise, natural, and beneficent, that when they are considered, there ought not to be a doubt that many, who are now classed under that description, will wish to see such a system abolished.

What pleasure can they derive from contemplating the exposed condition, and almost certain beggary of their younger offspring? Every aristocratical family has an appendage of family beggars hanging round it, which in a few ages, or a few generations, are shook off, and console themselves with telling their tale in almshouses, workhouses, and prisons. This is the natural consequence of aristocracy. The peer and the beggar are often of the same family. One extreme produces the other: to make one

* See the Reports on the Corn Trade.—*Author.*

rich many must be made poor; neither can the system be supported by other means.

There are two classes of people to whom the laws of England are particularly hostile, and those the most helpless; younger children, and the poor. Of the former I have just spoken; of the latter I shall mention one instance out of the many that might be produced, and with which I shall close this subject.

Several laws are in existence for regulating and limiting work-men's wages. Why not leave them as free to make their own bargains, as the law-makers are to let their farms and houses? Personal labour is all the property they have. Why is that little, and the little freedom they enjoy, to be infringed? But the injustice will appear stronger, if we consider the operation and effect of such laws. When wages are fixed by what is called a law, the legal wages remain stationary, while every thing else is in progression; and as those who make that law, still continue to lay on new taxes by other laws, they encrease the expence of living by one law, and take away the means by another.

But if these gentlemen law-makers and tax-makers thought it right to limit the poor pittance which personal labour can produce, and on which a whole family is to be supported, they certainly must feel themselves happily indulged in a limitation on their own part, of not less than twelve thousand a-year, and that of property they never acquired, (nor probably any of their ancestors) and of which they have made so ill a use.

Having now finished this subject, I shall bring the several particulars into one view, and then proceed to other matters.

The first eight articles are brought forward from p. 493:

1. Abolition of two millions poor-rates.

2. Provision for two hundred and fifty-two thousand poor families, at the rate of four pounds per head for each child under fourteen years of age; which, with the addition of two hundred and fifty thousand pounds, provides also education for one million and thirty thousand children.

3. Annuity of six pounds (per annum) each for all poor persons, decayed tradesmen, and others (supposed seventy thousand) of the age of fifty years, and until sixty.

4. Annuity of ten pounds each for life for all poor persons, decayed tradesmen, and others (supposed seventy thousand) of the age of sixty years.

5. Donation of twenty shillings each for fifty thousand births.

6. Donation of twenty shillings each for twenty thousand marriages.

7. Allowance of twenty thousand pounds for the funeral expenses of persons travelling for work, and dying at a distance from their friends.

8. Employment at all times for the casual poor in the cities of London and Westminster.

Second enumeration:

9. Abolition of the tax on houses and windows.

10. Allowance of three shillings per week for life to fifteen thousand disbanded soldiers, and a proportionate allowance to the officers of the disbanded corps.

11. Encrease of pay to the remaining soldiers of 19,500*l.* annually.

12. The same allowance to the disbanded navy, and the same encrease of pay, as to the army.

13. Abolition of the commutation tax.

14. Plan of a progressive tax, operating to extirpate the unjust and unnatural law of primogeniture, and the vicious influence of the aristocratical system *

* When inquiries are made into the condition of the poor, various degrees of distress will most probably be found, to render a different arrangement preferable to that which is already proposed. Widows with families will be in greater want than where there are husbands living. There is also a difference in the expence of living in different counties: and more so in fuel.

Suppose then fifty thousand extraordinary cases, at the rate of ten pounds per family per ann.	500,000*l.*
100,000 families, at 8*l.* per family per ann.	800,000
100,000 families, at 7*l.* per " "	700,000
104,000 families, at 5*l.* per " "	520,000
And instead of ten shillings per head for the education of other children, to allow fifty shillings per family for that purpose to fifty thousand families	250,000
	2,770,000
140,000 aged persons as before,	1,120,000
	3,890,000*l.*

This arrangement amounts to the same sum as stated in p. 489, including the 250,000*l.* for education; but it provides (including the aged people) for four hundred and four thousand families, which is almost one third of all the families in England.—*Author.*

There yet remains, as already stated, one million of surplus taxes. Some part of this will be required for circumstances that do not immediately present themselves, and such part as shall not be wanted, will admit of a further reduction of taxes equal to that amount.

Among the claims that justice requires to be made, the condition of the inferior revenue-officers will merit attention. It is a reproach to any government to waste such an immensity of revenue in sinecures and nominal and unnecessary places and officers, and not allow even a decent livelihood to those on whom the labour falls. The salary of the inferior officers of the revenue has stood at the petty pittance of less than fifty pounds a year for upwards of one hundred years. It ought to be seventy. About one hundred and twenty thousand pounds applied to this purpose, will put all those salaries in a decent condition.

This was proposed to be done almost twenty years ago, but the treasury-board then in being, startled at it, as it might lead to similar expectations from the army and navy; and the event was, that the King, or somebody for him, applied to parliament to have his own salary raised an hundred thousand pounds a year, which being done, every thing else was laid aside.[1]

With respect to another class of men, the inferior clergy, I forbear to enlarge on their condition; but all partialities and prejudices for, or against, different modes and forms of religion aside, common justice will determine, whether there ought to be an income of twenty or thirty pounds a year to one man, and of ten thousand to another. I speak on this subject with the more freedom, because I am known not to be a Presbyterian; and therefore the cant cry of court sycophants, about church and meeting, kept up to amuse and bewilder the nation, cannot be raised against me.

Ye simple men on both sides the question, do you not see

[1] In 1772, Paine, then Exciseman at Lewes, wrote *The Case of the officers of Excise; with remarks on the qualifications of officers; and of the numerous evils arising to the Revenue from the insufficiency of the present salary. Humbly addressed to the Hon. and Right Hon. Members of both Houses of Parliament.* Though printed it was not published until 1793. It will appear in the Appendix of our final volume.—*Editor.*

through this courtly craft? If ye can be kept disputing and wrangling about church and meeting, ye just answer the purpose of every courtier, who lives the while on the spoils of the taxes, and laughs at your credulity. Every religion is good that teaches man to be good; and I know of none that instructs him to be bad.

All the before-mentioned calculations suppose only sixteen millions and an half of taxes paid into the exchequer, after the expence of collection and drawbacks at the custom-house and excise-office are deducted; whereas the sum paid into the exchequer is very nearly, if not quite, seventeen millions. The taxes raised in Scotland and Ireland are expended in those countries, and therefore their savings will come out of their own taxes; but if any part be paid into the English exchequer, it might be remitted. This will not make one hundred thousand pounds a year difference.

There now remains only the national debt to be considered. In the year 1789, the interest, exclusive of the tontine, was 9,150,138*l.* How much the capital has been reduced since that time the minister best knows. But after paying the interest, abolishing the tax on houses and windows, the commutation tax, and the poor-rates; and making all the provisions for the poor, for the education of children, the support of the aged, the disbanded part of the army and navy, and encreasing the pay of the remainder, there will be a surplus of one million.

The present scheme of paying off the national debt appears to me, speaking as an indifferent person, to be an ill-concerted, if not a fallacious job. The burthen of the national debt consists not in its being so many millions, or so many hundred millions, but in the quantity of taxes collected every year to pay the interest. If this quantity continues the same, the burthen of the national debt is the same to all intents and purposes, be the capital more or less. The only knowledge which the public can have of the reduction of the debt, must be through the reduction of taxes for paying the interest. The debt, therefore, is not reduced one farthing to the public by all the millions that have been paid; and it

would require more money now to purchase up the capital, than when the scheme began.

Digressing for a moment at this point, to which I shall return again, I look back to the appointment of Mr. Pitt, as minister.

I was then in America. The war was over; and though resentment had ceased, memory was still alive.

When the news of the coalition arrived, though it was a matter of no concern to me as a citizen of America, I felt it as a man. It had something in it which shocked, by publicly sporting with decency, if not with principle. It was impudence in Lord North; it was a want of firmness in Mr. Fox.

Mr. Pitt was, at that time, what may be called a maiden character in politics. So far from being hackneyed, he appeared not to be initiated into the first mysteries of court intrigue. Every thing was in his favour. Resentment against the coalition served as friendship to him, and his ignorance of vice was credited for virtue. With the return of peace, commerce and prosperity would rise of itself; yet even this encrease was thrown to his account.

When he came to the helm, the storm was over, and he had nothing to interrupt his course. It required even ingenuity to be wrong, and he succeeded. A little time shewed him the same sort of man as his predecessors had been. Instead of profiting by those errors which had accumulated a burthen of taxes unparalleled in the world, he sought, I might almost say, he advertised for enemies, and provoked means to encrease taxation. Aiming at something, he knew not what, he ransacked Europe and India for adventures, and abandoning the fair pretensions he began with, he became the knight-errant of modern times.

It is unpleasant to see character throw itself away. It is more so to see one's-self deceived. Mr. Pitt had merited nothing, but he promised much. He gave symptoms of a mind superior to the meanness and corruption of courts. His apparent candour encouraged expectations; and the public confidence, stunned, wearied, and confounded by a chaos of parties, revived and attached itself to him. But mistaking, as

he has done, the disgust of the nation against the coalition, for merit in himself, he has rushed into measures, which a man less supported would not have presumed to act.

All this seems to show that change of ministers amounts to nothing. One goes out, another comes in, and still the same measures, vices, and extravagance are pursued. It signifies not who is minister. The defect lies in the system. The foundation and the superstructure of the government is bad. Prop it as you please, it continually sinks into court government, and ever will.

I return, as I promised, to the subject of the national debt, that offspring of the Dutch-Anglo revolution, and its handmaid the Hanover succession.

But it is now too late to enquire how it began. Those to whom it is due have advanced the money; and whether it was well or ill spent, or pocketed, is not their crime. It is, however, easy to see, that as the nation proceeds in contemplating the nature and principles of government, and to understand taxes, and make comparisons between those of America, France, and England, it will be next to impossible to keep it in the same torpid state it has hitherto been. Some reform must, from the necessity of the case, soon begin. It is not whether these principles press with little or much force in the present moment. They are out. They are abroad in the world, and no force can stop them. Like a secret told, they are beyond recall; and he must be blind indeed that does not see that a change is already beginning.

Nine millions of dead taxes is a serious thing; and this not only for bad, but in a great measure for foreign government. By putting the power of making war into the hands of the foreigners who came for what they could get, little else was to be expected than what has happened.

Reasons are already advanced in this work, shewing that whatever the reforms in the taxes may be, they ought to be made in the current expences of government, and not in the part applied to the interest of the national debt. By remitting the taxes of the poor, *they* will be totally relieved, and all discontent will be taken away; and by striking off such

of the taxes as are already mentioned, the nation will more than recover the whole expence of the mad American war.

There will then remain only the national debt as a subject of discontent; and in order to remove, or rather to prevent this, it would be good policy in the stock-holders themselves to consider it as property, subject like all other property, to bear some portion of the taxes. It would give to it both popularity and security, and as a great part of its present inconvenience is balanced by the capital which it keeps alive, a measure of this kind would so far add to that balance as to silence objections.

This may be done by such gradual means as to accomplish all that is necessary with the greatest ease and convenience.

Instead of taxing the capital, the best method would be to tax the interest by some progressive ratio, and to lessen the public taxes in the same proportion as the interest diminished.

Suppose the interest was taxed one halfpenny in the pound the first year, a penny more the second, and to proceed by a certain ratio to be determined upon, always less than any other tax upon property. Such a tax would be subtracted from the interest at the time of payment, without any expence of collection.

One halfpenny in the pound would lessen the interest and consequently the taxes, twenty thousand pounds. The tax on waggons amounts to this sum, and this tax might be taken off the first year. The second year the tax on female servants, or some other of the like amount might also be taken off, and by proceeding in this manner, always applying the tax raised from the property of the debt toward its extinction, and not carry it to the current services, it would liberate itself.

The stockholders, notwithstanding this tax, would pay less taxes than they do now. What they would save by the extinction of the poor-rates, and the tax on houses and windows, and the commutation tax, would be considerably greater than what this tax, slow, but certain in its operation, amounts to.

It appears to me to be prudence to look out for measures that may apply under any circumstance that may approach. There is, at this moment, a crisis in the affairs of Europe that requires it. Preparation now is wisdom. If taxation be once let loose, it will be difficult to re-instate it; neither would the relief be so effectual, as if it proceeded by some certain and gradual reduction.

The fraud, hypocrisy, and imposition of governments, are now beginning to be too well understood to promise them any long career. The farce of monarchy and aristocracy, in all countries, is following that of chivalry, and Mr. Burke is dressing for the funeral. Let it then pass quietly to the tomb of all other follies, and the mourners be comforted.

The time is not very distant when England will laugh at itself for sending to Holland, Hanover, Zell, or Burnswick for men, at the expence of a million a year, who understood neither her laws, her language, nor her interest, and whose capacities would scarcely have fitted them for the office of a parish constable. If government could be trusted to such hands, it must be some easy and simple thing indeed, and materials fit for all the purposes may be found in every town and village in England.

When it shall be said in any country in the world, my poor are happy; neither ignorance nor distress is to be found among them; my jails are empty of prisoners, my streets of beggars; the aged are not in want, the taxes are not oppressive; the rational world is my friend, because I am the friend of its happiness: when these things can be said, then may that country boast its constitution and its government.

Within the space of a few years we have seen two revolutions, those of America and France. In the former, the contest was long, and the conflict severe; in the latter, the nation acted with such a consolidated impulse, that having no foreign enemy to contend with, the revolution was complete in power the moment it appeared. From both those instances it is evident, that the greatest forces that can be brought into the field of revolutions, are reason and common interest. Where these can have the opportunity of

acting, opposition dies with fear, or crumbles away by conviction. It is a great standing which they have now universally obtained; and we may hereafter hope to see revolutions, or changes in governments, produced with the same quiet operation by which any measure, determinable by reason and discussion, is accomplished.

When a nation changes its opinion and habits of thinking, it is no longer to be governed as before; but it would not only be wrong, but bad policy, to attempt by force what ought to be accomplished by reason. Rebellion consists in forcibly opposing the general will of a nation, whether by a party or by a government. There ought, therefore, to be in every nation a method of occasionally ascertaining the state of public opinion with respect to government. On this point the old government of France was superior to the present government of England, because, on extraordinary occasions, recourse could be had to what was then called the States General. But in England there are no such occasional bodies; and as to those who are now called Representatives, a great part of them are mere machines of the court, placemen, and dependants.

I presume, that though all the people of England pay taxes, not an hundredth part of them are electors, and the members of one of the houses of parliament represent nobody but themselves. There is, therefore, no power but the voluntary will of the people that has a right to act in any matter respecting a general reform; and by the same right that two persons can confer on such a subject, a thousand may. The object, in all such preliminary proceedings, is to find out what the general sense of a nation is, and to be governed by it. If it prefer a bad or defective government to a reform or chuse to pay ten times more taxes than there is any occasion for, it has a right so to do; and so long as the majority do not impose conditions on the minority, different from what they impose upon themselves, though there may be much error, there is no injustice. Neither will the error continue long. Reason and discussion will soon bring things right, however wrong they may begin. By such a

process no tumult is to be apprehended. The poor, in all countries, are naturally both peaceable and grateful in all reforms in which their interest and happiness is included. It is only by neglecting and rejecting them that they become tumultuous.

The objects that now press on the public attention are, the French revolution, and the prospect of a general revolution in governments. Of all nations in Europe there is none so much interested in the French revolution as England, Enemies for ages, and that at a vast expence, and without any national object, the opportunity now presents itself of amicably closing the scene, and joining their efforts to reform the rest of Europe. By doing this they will not only prevent the further effusion of blood, and encrease of taxes, but be in a condition of getting rid of a considerable part of their present burthens, as has been already stated. Long experience however has shewn, that reforms of this kind are not those which old governments wish to promote, and therefore it is to nations, and not to such governments, that these matters present themselves.

In the preceding part of this work, I have spoken of an alliance between England, France, and America, for purposes that were to be afterwards mentioned. Though I have no direct authority on the part of America, I have good reason to conclude, that she is disposed to enter into a consideration of such a measure, provided, that the governments with which she might ally, acted as national governments, and not as courts enveloped in intrigue and mystery. That France as a nation, and a national government, would prefer an alliance with England, is a matter of certainty. Nations, like individuals, who have long been enemies, without knowing each other, or knowing why, become the better friends when they discover the errors and impositions under which they had acted.

Admitting, therefore, the probability of such a connection, I will state some matters by which such an alliance, together with that of Holland, might render service, not only to the parties immediately concerned, but to all Europe.

It is, I think, certain, that if the fleets of England, France, and Holland were confederated, they could propose, with effect, a limitation to, and a general dismantling of, all the navies in Europe, to a certain proportion to be agreed upon.

First, That no new ship of war shall be built by any power in Europe, themselves included.

Second, That all the navies now in existence shall be put back, suppose to one-tenth of their present force. This will save to France and England, at least two millions sterling annually to each, and their relative force be in the same proportion as it is now. If men will permit themselves to think, as rational beings ought to think, nothing can appear more ridiculous and absurd, exclusive of all moral reflections, than to be at the expence of building navies, filling them with men, and then hauling them into the ocean, to try which can sink each other fastest. Peace, which costs nothing, is attended with infinitely more advantage, than any victory with all its expence. But this, though it best answers the purpose of nations, does not that of court governments, whose habited policy is pretence for taxation, places, and offices.

It is, I think, also certain, that the above confederated powers, together with that of the United States of America, can propose with effect, to Spain, the independence of South America, and the opening those countries of immense extent and wealth to the general commerce of the world, as North America now is.

With how much more glory, and advantage to itself, does a nation act, when it exerts its powers to rescue the world from bondage, and to create itself friends, than when it employs those powers to increase ruin, desolation, and misery. The horrid scene that is now acting by the English government in the East-Indies, is fit only to be told of Goths and Vandals, who, destitute of principle, robbed and tortured the world they were incapable of enjoying.

The opening of South America would produce an immense field of commerce, and a ready money market for manufactures, which the eastern world does not. The East

is already a country full of manufactures, the importation of which is not only an injury to the manufactures of England, but a drain upon its specie. The balance against England by this trade is regularly upwards of half a million annually sent out in the East-India ships in silver; and this is the reason, together with German intrigue, and German subsidies, that there is so little silver in England.

But any war is harvest to such governments, however ruinous it may be to a nation. It serves to keep up deceitful expectations which prevent people from looking into the defects and abuses of government. It is the *lo here!* and the *lo there!* that amuses and cheats the multitude.

Never did so great an opportunity offer itself to England, and to all Europe, as is produced by the two Revolutions of America and France. By the former, freedom has a national champion in the western world; and by the latter, in Europe. When another nation shall join France, despotism and bad government will scarcely dare to appear. To use a trite expression, the iron is becoming hot all over Europe. The insulted German and the enslaved Spaniard, the Russ and the Pole, are beginning to think. The present age will hereafter merit to be called the Age of reason,[1] and the present generation will appear to the future as the Adam of a new world.

When all the governments of Europe shall be established on the representative system, nations will become acquainted, and the animosities and prejudices fomented by the intrigue and artifice of courts, will cease. The oppressed soldier will become a freeman; and the tortured sailor, no longer dragged through the streets like a felon, will pursue his mercantile voyage in safety. It would be better that nations should continue the pay of their soldiers during their lives, and give them their discharge and restore them to freedom and their friends, and cease recruiting, than retain such multitudes at the same expence, in a condition useless to society and to themselves. As soldiers have

[1] It was about a year later that Paine used this phrase as the title of his work on religion, which, however, did not appear until 1794.—*Editor.*

hitherto been treated in most countries, they might be said to be without a friend. Shunned by the citizen on an apprehension of their being enemies to liberty, and too often insulted by those who commanded them, their condition was a double oppression. But where genuine principles of liberty pervade a people, every thing is restored to order; and the soldier civilly treated, returns the civility.

In contemplating revolutions, it is easy to perceive that they may arise from two distinct causes; the one, to avoid or get rid of some great calamity; the other, to obtain some great and positive good; and the two may be distinguished by the names of active and passive revolutions. In those which proceed from the former cause, the temper becomes incensed and sowered; and the redress, obtained by danger, is too often sullied by revenge. But in those which proceed from the latter, the heart, rather animated than agitated, enters serenely upon the subject. Reason and discussion, persuasion and conviction, become the weapons in the contest, and it is only when those are attempted to be suppressed that recourse is had to violence. When men unite in agreeing that a *thing is good*, could it be obtained, such for instance as relief from a burden of taxes and the extinction of corruption, the object is more than half accomplished. What they approve as the end, they will promote in the means.

Will any man say, in the present excess of taxation, falling so heavily on the poor, that a remission of five pounds annually of taxes to one hundred and four thousand poor families is not a *good thing?* Will he say, that a remission of seven pounds annually to one hundred thousand other poor families—of eight pounds annually to another hundred thousand poor families, and of ten pounds annually to fifty thousand poor and widowed families, are not *good things?* And, to proceed a step further in this climax, will he say, that to provide against the misfortunes to which all human life is subject, by securing six pounds annually for all poor, distressed, and reduced persons of the age of fifty and until sixty, and of ten pounds annually after sixty, is not a *good thing?*

Will he say, that an abolition of two millions of poor-rates to the house-keepers, and of the whole of the house and window-light tax and of the commutation tax is not a *good thing?* Or will he say, that to abolish corruption is a *bad thing?*

If, therefore, the good to be obtained be worthy of a passive, rational, and costless revolution, it would be bad policy to prefer waiting for a calamity that should force a violent one. I have no idea, considering the reforms which are now passing and spreading throughout Europe, that England will permit herself to be the last; and where the occasion and the opportunity quietly offer, it is better than to wait for a turbulent necessity. It may be considered as an honour to the animal faculties of man to obtain redress by courage and danger, but it is far greater honour to the rational faculties to accomplish the same object by reason, accommodation, and general consent.*

As reforms, or revolutions, call them which you please, extend themselves among nations, those nations will form connections and conventions, and when a few are thus confederated, the progress will be rapid, till despotism and corrupt government be totally expelled, at least out of two quarters of the world, Europe and America. The Algerine

* I know it is the opinion of many of the most enlightened characters in France (there always will be those who see further into events than others,) not only among the general mass of citizens, but of many of the principal members of the former National Assembly, that the monarchical plan will not continue many years in that country. They have found out, that as wisdom cannot be made hereditary, power ought not; and that, for a man to merit a million sterling a year from a nation, he ought to have a mind capable of comprehending from an atom to a universe, which, if he had, he would be above receiving the pay. But they wished not to appear to lead the nation faster than its own reason and interest dictated. In all the conversations where I have been present upon this subject, the idea always was, that when such a time, from the general opinion of the nation, shall arrive, that the honourable and liberal method would be, to make a handsome present in fee simple to the person, whoever he may be, that shall then be in the monarchical office, and for him to retire to the enjoyment of private life, possessing his share of general rights and privileges, and to be no more accountable to the public for his time and his conduct than any other citizen.—*Author.*

Monarchy was formally abolished in France Sept. 21, 1792.—*Editor.*

piracy may then be commanded to cease, for it is only by the malicious policy of old governments, against each other that it exists.[1]

Throughout this work, various and numerous as the subjects are, which I have taken up and investigated, there is only a single paragraph upon religion, *viz.* "*that every religion is good that teaches man to be good.*"

I have carefully avoided to enlarge upon the subject, because I am inclined to believe, that what is called the present ministry, wish to see contentions about religion kept up, to prevent the nation turning its attention to subjects of government. It is, as if they were to say, "*Look that way, or any way, but this.*"

But as religion is very improperly made a political machine, and the reality of it is thereby destroyed, I will conclude this work with stating in what light religion appears to me.

If we suppose a large family of children, who, on any particular day, or particular circumstance, made it a custom to present to their parents some token of their affection and gratitude, each of them would make a different offering, and most probably in a different manner. Some would pay their congratulations in themes of verse and prose, by some little devices, as their genius dictated, or according to what they thought would please; and, perhaps, the least of all, not able to do any of those things, would ramble into the garden, or the field, and gather what it thought the prettiest flower it could find, though, perhaps, it might be but a simple weed. The parent would be more gratified by such a variety, than if the whole of them had acted on a concerted plan, and each had made exactly the same offering. This would have the cold appearance of contrivance, or the harsh one of controul. But of all unwelcome things, noth-

[1] In a MS. Note-Book of Thomas 'Clio' Rickman, an anecdote, entered about 1818, is told as follows: "The Duke of Kent, when at Gibraltar, some years since, visited in great state The Dey of Algiers. The Dey, wishing to ingratiate himself, said, *Your father is the greatest Pirate in the world, and I am the next!*"—*Editor.*

ing could more afflict the parent than to know, that the whole of them had afterwards gotten together by the ears, boys and girls, fighting, scratching, reviling, and abusing each other about which was the best or the worst present.

Why may we not suppose, that the great Father of all is pleased with variety of devotion; and that the greatest offence we can act, is that by which we seek to torment and render each other miserable? For my own part, I am fully satisfied that what I am now doing, with an endeavour to conciliate mankind, to render their condition happy, to unite nations that have hitherto been enemies, and to extirpate the horrid practice of war, and break the chains of slavery and oppression is acceptable in his sight, and being the best service I can perform, I act it chearfully.

I do not believe that any two men, on what are called doctrinal points, think alike who think at all. It is only those who have not thought that appear to agree. It is in this case as with what is called the British constitution. It has been taken for granted to be good, and encomiums have supplied the place of proof. But when the nation comes to examine into its principles and the abuses it admits, it will be found to have more defects than I have pointed out in this work and the former.

As to what are called national religions, we may, with as much propriety, talk of national Gods. It is either political craft or the remains of the Pagan system, when every nation had its separate and particular deity. Among all the writers of the English church clergy, who have treated on the general subject of religion, the present Bishop of Landaff has not been excelled, and it is with much pleasure that I take this opportunity of expressing this token of respect.[1]

I have now gone through the whole of the subject, at least, as far as it appears to me at present. It has been my intention for the five years I have been in Europe, to offer an address to the people of England on the subject of

[1] Richard Watson (1737-1816). This homage in 1792 to the writer whose fame rests chiefly on his answer to Paine's *Age of Reason* ("Apology for the Bible," 1796) is worthy of note.—*Editor.*

government, if the opportunity presented itself before I returned to America. Mr. Burke has thrown it in my way, and I thank him. On a certain occasion, three years ago, I pressed him to propose a national convention, to be fairly elected, for the purpose of taking the state of the nation into consideration; but I found, that however strongly the parliamentary current was then setting against the party he acted with, their policy was to keep every thing within that field of corruption, and trust to accidents. Long experience had shewn that parliaments would follow any change of ministers, and on this they rested their hopes and their expectations.

Formerly, when divisions arose respecting governments, recourse was had to the sword, and a civil war ensued. That savage custom is exploded by the new system, and reference is had to national conventions. Discussion and the general will arbitrates the question, and to this, private opinion yields with a good grace, and order is preserved uninterrupted.

Some gentlemen have affected to call the principles upon which this work and the former part of *Rights of Man* are founded, "a new-fangled doctrine." The question is not whether those principles are new or old, but whether they are right or wrong. Suppose the former, I will shew their effect by a figure easily understood.

It is now towards the middle of February. Were I to take a turn into the country, the trees would present a leafless, wintery appearance. As people are apt to pluck twigs as they walk along, I perhaps might do the same, and by chance might observe, that a *single bud* on that twig had begun to swell. I should reason very unnaturally, or rather not reason at all, to suppose this was the *only* bud in England which had this appearance. Instead of deciding thus, I should instantly conclude, that the same appearance was beginning, or about to begin, every where; and though the vegetable sleep will continue longer on some trees and plants than on others, and though some of them may not *blossom* for two or three years, all will be in leaf in the summer, ex-

cept those which are *rotten.* What pace the political summer may keep with the natural, no human foresight can determine. It is, however, not difficult to perceive that the spring is begun.—Thus wishing, as I sincerely do, freedom and happiness to all nations, I close the SECOND PART.

APPENDIX.

As the publication of this work has been delayed beyond the time intended, I think it not improper, all circumstances considered, to state the causes that have occasioned that delay.

The reader will probably observe, that some parts in the plan contained in this work for reducing the taxes, and certain parts in Mr. Pitt's speech at the opening of the present session, Tuesday, January 31, are so much alike, as to induce a belief, that either the author had taken the hint from Mr. Pitt, or Mr. Pitt from the author.—I will first point out the parts that are similar, and then state such circumstances as I am acquainted with, leaving the reader to make his own conclusion.

Considering it as almost an unprecedented case, that taxes should be proposed to be taken off, it is equally extraordinary that such a measure should occur to two persons at the same time; and still more so (considering the vast variety and multiplicity of taxes) that they should hit on the same specific taxes. Mr. Pitt has mentioned, in *his* speech, the tax on *Carts* and *Wagons*—that on *Female Servants*—the lowering the tax on *Candles* and the taking off the tax of three shillings on *Houses* having under seven windows.

Every one of those specific taxes are a part of the plan contained in this work, and proposed also to be taken off. Mr. Pitt's plan, it is true, goes no further than to a reduction of three hundred and twenty thousand pounds; and the reduction proposed in this work, to nearly six millions. I have made my calculations on only sixteen millions and an half of revenue, still asserting that it was "very nearly, if not quite, seventeen millions." Mr. Pitt states it at 16,690,-

000. I know enough of the matter to say, that he has not *over*stated it. Having thus given the particulars, which correspond in this work and his speech, I will state a chain of circumstances that may lead to some explanation.

The first hint for lessening the taxes, and that as a consequence flowing from the French revolution, is to be found in the ADDRESS and DECLARATION of the Gentlemen who met at the Thatched-House Tavern, August 20, 1791. Among many other particulars stated in that Address, is the following, put as an interrogation to the government opposers of the French Revolution. "*Are they sorry that the pretence for new oppressive taxes, and the occasion for continuing many old taxes will be at an end?*"

It is well known, that the persons who chiefly frequent the Thatched-House Tavern, are men of court connections, and so much did they take this Address and Declaration respecting the French Revolution, and the reduction of taxes in disgust, that the Landlord was under the necessity of informing the Gentlemen, who composed the meeting of the 20th of August, and who proposed holding another meeting, that he could not receive them.*

What was only hinted in the Address and Declaration respecting taxes and principles of government, will be found

* The gentleman who signed the address and declaration as chairman of the meeting, Mr. Horne Tooke, being generally supposed to be the person who drew it up, and having spoken much in commendation of it, has been jocularly accused of praising his own work. To free him from this embarrassment, and to save him the repeated trouble of mentioning the author, as he has not failed to do, I make no hesitation in saying, that as the opportunity of benefiting by the French Revolution easily occurred to me, I drew up the publication in question, and shewed it to him and some other gentlemen, who, fully approving it, held a meeting for the purpose of making it public, and subscribed to the amount of fifty guineas to defray the expence of advertising. I believe there are at this time, in England, a greater number of men acting on disinterested principles, and determined to look into the nature and practices of government themselves, and not blindly trust, as has hitherto been the case, either to government generally, or to parliaments, or to parliamentary opposition, than at any former period. Had this been done a century ago, corruption and taxation had not arrived to the height they are now at.—*Author.*

The Address and Declaration alluded to above is No. XII. in the present volume.—*Editor.*

reduced to a regular system in this work. But as Mr Pitt's speech contains some of the same things respecting taxes, I now come to give the circumstances before alluded to.

The case is: This work was intended to be published just before the meeting of Parliament, and for that purpose a considerable part of the copy was put into the printer's hands in September, and all the remaining copy, as far as page 160, which contains the part to which Mr. Pitt's speech is similar, was given to him full six weeks before the meeting of parliament, and he was informed of the time at which it was to appear. He had composed nearly the whole about a fortnight before the time of Parliament meeting, and had printed as far as page 112, and had given me a proof of the next sheet, up to page 128. It was then in sufficient forwardness to be out at the time proposed, as two other sheets were ready for striking off. I had before told him, that if he thought he should be straitened for time, I could get part of the work done at another press, which he desired me not to do. In this manner the work stood on the Tuesday fortnight preceding the meeting of Parliament, when all at once, without any previous intimation, though I had been with him the evening before, he sent me, by one of his workmen, all the remaining copy, from page 112, declining to go on with the work *on any consideration.*

To account for this extraordinary conduct I was totally at a loss, as he stopped at the part where the arguments on systems and principles of government closed, and where the plan for the reduction of taxes, the education of children, and the support of the poor and the aged begins; and still more especially, as he had, at the time of his beginning to print, and before he had seen the whole copy, offered a thousand pounds for the copy-right, together with the future copy-right of the former part of the Rights of Man. I told the person who brought me this offer that I should not accept it, and wished it not to be renewed, giving him as my reason, that though I believed the printer to be an honest man, I would never put it in the power of any printer or publisher to suppress or alter a work of mine, by making him

master of the copy, or give to him the right of selling it to any minister, or to any other person, or to treat as a mere matter of traffic, that which I intended should operate as a principle.

His refusal to complete the work (which he could not purchase) obliged me to seek for another printer, and this of consequence would throw the publication back till after the meeting of Parliament, otherways it would have appeared that Mr. Pitt had only taken up a part of the plan which I had more fully stated.

Whether that gentleman, or any other, had seen the work, or any part of it, is more than I have authority to say. But the manner in which the work was returned, and the particular time at which this was done, and that after the offers he had made, are suspicious circumstances. I know what the opinion of booksellers and publishers is upon such a case, but as to my own opinion, I chuse to make no declaration. There are many ways by which proof sheets may be procured by other persons before a work publicly appears; to which I shall add a certain circumstance, which is,

A ministerial bookseller in Piccadilly who has been employed, as common report says, by a clerk of one of the boards closely connected with the ministry (the board of trade and plantation, of which Hawkesbury is president) to publish what he calls my Life,[1] (I wish his own life and those of the cabinet were as good,) used to have his books printed at the same printing-office that I employed; but when the former part of *Rights of Man* came out, he took his work away in dudgeon; and about a week or ten days before the printer returned my copy, he came to make him an offer of his work again, which was accepted. This would consequently give him admission into the printing-office where the

[1] "The Life of Thomas Pain, Author of the 'Rights of Men,' with a Defence of his Writings. By Francis Oldys, A.M. of the University of Pennsylvania." George Chalmers, the clerk alluded to, by this purely fictitious claim to American connection, and pretence to "Defence," proved himself quite equal to the surreptitious action suspected by Paine. His libellous "Life" proves him well acquainted with Paine's transactions with the first printer. See my "Life of Paine," i., 330.—*Editor.*

sheets of this work were then lying; and as booksellers and printers are free with each other, he would have the opportunity of seeing what was going on.—Be the case, however, as it may, Mr. Pitt's plan, little and diminutive as it is, would have made a very awkward appearance, had this work appeared at the time the printer had engaged to finish it.

I have now stated the particulars which occasioned the delay, from the proposal to purchase, to the refusal to print. If all the Gentlemen are innocent, it is very unfortunate for them that such a variety of suspicious circumstances should, without any design, arrange themselves together.

Having now finished this part, I will conclude with stating another circumstance.

About a fortnight or three weeks before the meeting of Parliament, a small addition, amounting to about twelve shillings and sixpence a year, was made to the pay of the soldiers, or rather their pay was docked so much less. Some Gentlemen who knew, in part, that this work would contain a plan of reforms respecting the oppressed condition of soldiers, wished me to add a note to the work, signifying that the part upon that subject had been in the printer's hands some weeks before that addition of pay was proposed. I declined doing this, lest it should be interpreted into an air of vanity, or an endeavour to excite suspicion (for which perhaps there might be no grounds) that some of the government gentlemen had, by some means or other, made out what this work would contain: and had not the printing been interrupted so as to occasion a delay beyond the time fixed for publication, nothing contained in this appendix would have appeared.

THOMAS PAINE.

END OF VOLUME II.